



General Assembly

January Session, 2001

Raised Bill No. 1046

LCO No. 3158

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE REVISOR'S CORRECTIONS TO THE
GENERAL STATUTES AND CERTAIN PUBLIC ACTS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 1-83 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) (1) All state-wide elected officers, members of the General
4 Assembly, department heads and their deputies, members of the
5 Gaming Policy Board, the executive director of the Division of Special
6 Revenue within the Department of Revenue Services, members or
7 directors of each quasi-public agency, members of the Investment
8 Advisory Council, state [marshal] marshals and such members of the
9 Executive Department and such employees of quasi-public agencies as
10 the Governor shall require, shall file, under penalty of false statement,
11 a statement of financial interests for the preceding calendar year with
12 the commission on or before the May first next in any year in which
13 they hold such a position. Any such individual who leaves his or her
14 office or position shall file a statement of financial interests covering
15 that portion of the year during which such individual held his or her
16 office or position. The commission shall notify such individuals of the

17 requirements of this subsection within thirty days after their departure
18 from such office or position. Such individuals shall file such statement
19 within sixty days after receipt of the notification.

20 (2) Each state agency, department, board and commission shall
21 develop and implement, in cooperation with the Ethics Commission,
22 an ethics statement as it relates to the mission of the agency,
23 department, board or commission. The executive head of each such
24 agency, department, board or commission shall be directly responsible
25 for the development and enforcement of such ethics statement and
26 shall file a copy of such ethics statement with the Department of
27 Administrative Services and the Ethics Commission.

28 Sec. 2. Subsection (b) of section 1-83 of the general statutes is
29 repealed and the following is substituted in lieu thereof:

30 (b) (1) The statement of financial interests, except as provided in
31 subdivision (2) of this subsection, shall include the following
32 information for the preceding calendar year in regard to the individual
33 required to file the statement and the individual's spouse and
34 dependent children residing in the individual's household: (A) The
35 names of all businesses with which associated; (B) the category or type
36 of all sources of income in excess of one thousand dollars, without
37 specifying amounts of income; (C) the name of securities in excess of
38 five thousand dollars at fair market value owned by such individual,
39 spouse or dependent children or held in the name of a corporation,
40 partnership or trust for the benefit of such individual, spouse or
41 dependent children; (D) the existence of any known blind trust and the
42 names of the trustees; (E) all real property and its location, whether
43 owned by such individual, spouse or dependent children or held in the
44 name of a corporation, partnership or trust for the benefit of such
45 individual, spouse or dependent children; (F) the names and addresses
46 of creditors to whom the individual, the individual's spouse or
47 dependent children, individually, owed debts of more than ten
48 thousand dollars; and (G) any leases or contracts with the state held or

49 entered into by the individual or a business with which he or she was
50 associated. (2) The statement of financial interests filed by state
51 marshals shall include only amounts and sources of income earned in
52 their capacity as state marshals.

53 Sec. 3. Section 1-102 of the general statutes is repealed and the
54 following is substituted in lieu thereof:

55 No person, committee, association, organization or corporation shall
56 employ any salaried commissioner or deputy commissioner of this
57 state, or any person receiving a salary or pay from the state for services
58 rendered and performed at Hartford, or shall give to any such person
59 any advantage, aid, emolument, entertainment, money or other
60 valuable thing for appearing for, in behalf of or in opposition to, any
61 measure, bill, resolution or petition pending before the General
62 Assembly or any committee thereof, or for advancing, supporting,
63 advocating, or seeking to secure the passage, defeat or amendment of
64 any such measure, bill, resolution or petition pending in or before the
65 General Assembly or any committee thereof; nor shall any such
66 salaried commissioner, deputy commissioner or other person
67 described in this section accept any such employment or perform any
68 such service for another, or accept aid, emolument, entertainment,
69 money, advantage or other valuable thing for or in consideration of
70 any such service. Any person, committee, association, organization or
71 corporation, or any such salaried commissioner, deputy commissioner
72 or person receiving a salary or pay from the state for services rendered
73 and performed at Hartford, who violates any of the provisions of this
74 section, shall be fined not less than one hundred nor more than one
75 thousand dollars. All complaints for the violation of this section shall
76 be made to the state's attorney for the judicial district of New Britain,
77 and [he] said state's attorney shall, upon proof of probable guilt being
78 shown, cause the arrest of any such offender and present [him] such
79 offender or cause [him] such offender to be presented for trial before
80 the superior court for the judicial district of New Britain.

81 Sec. 4. Subsection (g) of section 4-151 of the general statutes is
82 repealed and the following is substituted in lieu thereof:

83 (d) If any person fails to respond to a subpoena, the Claims
84 Commissioner may issue a capias, directed to a state marshal to arrest
85 such person and bring [him] such person before the Claims
86 Commissioner to testify.

87 Sec. 5. Section 5-198 of the general statutes is repealed and the
88 following is substituted in lieu thereof:

89 The offices and positions filled by the following-described
90 incumbents shall be exempt from the classified service:

91 (a) All officers and employees of the Judicial Department;

92 (b) All officers and employees of the Legislative Department;

93 (c) All officers elected by popular vote;

94 (d) All agency heads, members of boards and commissions and
95 other officers appointed by the Governor;

96 (e) All persons designated by name in any special act to hold any
97 state office;

98 (f) All officers, noncommissioned officers and enlisted men in the
99 military or naval service of the state and under military or naval
100 discipline and control;

101 (g) All superintendents or wardens of state institutions, the State
102 Librarian, the president of The University of Connecticut and any
103 other commissioner or administrative head of a state department or
104 institution who is appointed by a board or commission responsible by
105 statute for the administration of such department or institution;

106 (h) The State Historian appointed by the State Library Board;

107 (i) Deputies to the administrative head of each department or
108 institution designated by statute to act for and perform all of the duties
109 of such administrative head during his absence or incapacity;

110 (j) Executive assistants to each state elective officer and each
111 department head, as defined in section 4-5, provided each position of
112 executive assistant shall have been created in accordance with section
113 5-214;

114 (k) One personal secretary to the administrative head and to each
115 undersecretary or deputy to such head of each department or
116 institution provided any classified employee whose position is affected
117 by this subsection shall retain classified status in such position;

118 (l) All members of the professional and technical staffs of the
119 constituent units of the state system of higher education as defined in
120 section 10a-1, of all other state institutions of learning, of the
121 Department of Higher Education, and of the agricultural experiment
122 station at New Haven, professional employees of the State Board of
123 Education and teachers certified by the State Board of Education and
124 employed in teaching positions at state institutions;

125 (m) Physicians, dentists, student nurses in institutions and other
126 professional specialists who are employed on a part-time basis;

127 (n) Persons employed to make or conduct a special inquiry,
128 investigation, examination or installation;

129 (o) Students in educational institutions who are employed on a part-
130 time basis;

131 (p) Forest fire wardens provided for by section 23-36;

132 (q) Patients or inmates of state institutions who receive
133 compensation for services rendered therein;

134 (r) Employees of the Governor including employees working at the

135 executive office, official executive residence at 990 Prospect Avenue,
136 Hartford and the Washington D.C. office;

137 (s) Persons filling positions expressly exempted by statute from the
138 classified service;

139 (t) Librarians employed by the State Board of Education or any
140 constituent unit of the state system of higher education;

141 (u) Employees in the senior executive service;

142 (v) All officers and employees of the Division of Criminal Justice;

143 (w) One executive assistant to the chairman of the Office of Health
144 Care Access, provided such position shall have been created in
145 accordance with section 5-214;

146 (x) Professional employees of the Bureau of Rehabilitation Services
147 in the Department of Social Services;

148 (y) Lieutenant colonels in the Division of State Police within the
149 Department of Public Safety appointed on or after June 6, 1990, and
150 majors in the Division of State Police within the Department of Public
151 Safety appointed on or after July 1, 1999;

152 (z) The Deputy State Fire Marshal in the Division of Fire,
153 Emergency and Building Services within the Department of Public
154 Safety;

155 (aa) The chief administrative officer of the Workers' Compensation
156 Commission; and

157 (bb) Employees in the education professions bargaining unit. [; and

158 (cc) Special deputy sheriffs.]

159 Sec. 6. Subdivision (1) of subsection (l) of section 5-259 of the general
160 statutes is repealed and the following is substituted in lieu thereof:

161 (l) (1) Effective July 1, 1996, any deputies or special deputies
162 appointed pursuant to section 6-37 of the general statutes, revision
163 1958, revised to 1999, or section 6-43, shall be allowed to participate in
164 the plan or plans procured by the Comptroller pursuant to subsection
165 (a) of this section. Such participation shall be voluntary and the
166 participant shall pay the full cost of the coverage under such plan.

167 Sec. 7. Section 6-30a of the general statutes is repealed and the
168 following is substituted in lieu thereof:

169 On and after December 1, 2000, each state marshal shall be required
170 to carry personal liability insurance for damages caused by reason of
171 [his] such marshal's tortious acts in not less than the following
172 amounts: For damages caused to any one person or to the property of
173 any one person, one hundred thousand dollars and for damages
174 caused to more than one person or to the property of more than one
175 person, three hundred thousand dollars. For the purpose of this
176 section "tortious act" means negligent acts, errors or omissions for
177 which such state marshal may become legally obligated to any
178 damages for false arrest, erroneous service of civil papers, false
179 imprisonment, malicious prosecution, libel, slander, defamation of
180 character, violation of property rights or assault and battery if
181 committed while making or attempting to make an arrest or against a
182 person under arrest; provided, it shall not include any such act unless
183 committed in the performance of the official duties of such state
184 marshal.

185 Sec. 8. Section 6-32 of the general statutes is repealed and the
186 following is substituted in lieu thereof:

187 Each state marshal shall receive each process directed to [him] such
188 marshal when tendered, execute it promptly and make true return
189 thereof; and shall, without any fee, give receipts when demanded for
190 all civil process delivered to [him] such marshal to be served,
191 specifying the names of the parties, the date of the writ, the time of
192 delivery and the sum or thing in demand. If any state marshal does not

193 duly and promptly execute and return any such process or makes a
194 false or illegal return thereof, [he] such marshal shall be liable to pay
195 double the amount of all damages to the party aggrieved.

196 Sec. 9. Subsection (c) of section 6-32d of the general statutes is
197 repealed and the following is substituted in lieu thereof:

198 (c) The Judicial Department may enter into an agreement with state
199 agencies for the management, training or coordination, or any
200 combination thereof, of courthouse security and prisoner custody and
201 transportation functions.

202 Sec. 10. Section 6-32e of the general statutes is repealed and the
203 following is substituted in lieu thereof:

204 Sections 46a-79 to 46a-81, inclusive, shall not be applicable to the
205 prisoner transportation and courthouse security system, [as
206 established under section 6-32a,] provided nothing herein shall be
207 construed to preclude the prisoner transportation and courthouse
208 security system [, as established under section 6-32a, in its discretion]
209 from adopting the policy set forth in said sections.

210 Sec. 11. Subsection (b) of section 6-38l of the general statutes is
211 repealed and the following is substituted in lieu thereof:

212 (b) No high sheriff may, directly or indirectly, solicit a contribution
213 or an expenditure from a deputy sheriff, a special deputy sheriff, an
214 employee of the high sheriff, a member of the immediate family of a
215 deputy sheriff, special deputy sheriff or employee of the high sheriff,
216 or a business client with whom the high sheriff has conducted business
217 in [his] the capacity [as] of high sheriff during the preceding twelve
218 months, for (1) an exploratory committee or a candidate committee
219 established by a high sheriff, (2) a political committee established by a
220 high sheriff or an agent of a high sheriff, (3) the aid or promotion of the
221 success or defeat of a referendum question or (4) any other purpose for
222 which contributions or expenditures may be made under chapter 150.

223 Sec. 12. Section 7-108 of the general statutes is repealed and the
224 following is substituted in lieu thereof:

225 Each city and borough shall be liable for all injuries to person or
226 property, including injuries causing death, when such injuries are
227 caused by an act of violence of any person or persons while a member
228 of, or acting in concert with, any mob, riotous assembly or assembly of
229 persons engaged in disturbing the public peace, if such city or
230 borough, or the police or other proper authorities thereof, have not
231 exercised reasonable care or diligence in the prevention or suppression
232 of such mob, riotous assembly or assembly engaged in disturbing the
233 public peace. Any person claiming damages under this section from
234 any city or borough shall give written notice to the clerk of the city or
235 borough of such claim and of the injury upon which such claim is
236 based, containing a general description of such injury and of the time,
237 place and cause of its occurrence, within thirty days after the
238 occurrence of such injury; and an administrator or executor seeking to
239 recover damages for the death of a decedent whom [he] such
240 administrator or executor represents shall give such written notice
241 within thirty days after his or her appointment; provided such notice
242 shall be given not later than four months after the date of the injury so
243 causing the death of the decedent whom [he] such administrator or
244 executor represents. The expense for which such city or borough is
245 made liable to the state under the provisions of this section shall, if
246 more than one municipal corporation is jointly responsible for the
247 expense aforesaid, be assessed by the Secretary of the Office of Policy
248 and Management, the Attorney General and the Comptroller, acting as
249 a board of assessors. Such board of assessors may apportion such
250 expense among the different municipal corporations so jointly
251 responsible in such manner as to it seems just. An appeal from the
252 action of such board of assessors may be taken to the superior court for
253 the judicial district in which the appellant city or borough is situated,
254 and, if the cities or boroughs concerned are located in different judicial
255 districts, then such appeal may be taken to the superior court for that
256 judicial district in which the city or borough concerned having the

257 largest population according to the last-preceding census is located.
258 The amount of such assessment against any city or borough for which
259 it is liable to the state under the provisions of this section shall be
260 certified to the clerk of such city or borough by the Comptroller as
261 soon as such assessment is made, and the appeal from such assessment
262 provided herein shall be taken by such city or borough within thirty
263 days from the receipt by it of such certificate of assessment by the
264 Comptroller.

265 Sec. 13. Subsection (f) of section 7-294d of the general statutes is
266 repealed and the following is substituted in lieu thereof:

267 (f) The provisions of this section shall not apply to (1) any state
268 police training school or program, (2) any sworn member of the
269 Division of State Police within the Department of Public Safety, (3)
270 Connecticut National Guard security personnel, when acting within
271 the scope of their national guard duties, who have satisfactorily
272 completed a program of police training conducted by the United States
273 Army or Air Force, (4) employees of the Judicial Department, [(5)
274 sheriffs or deputy sheriffs trained by the Sheriffs' Advisory Board
275 pursuant to section 6-32b, (6)] (5) municipal animal control officers
276 appointed pursuant to section 22-331, or [(7)] (6) fire police appointed
277 pursuant to section 7-313a. The provisions of this section with respect
278 to renewal of certification upon satisfactory completion of review
279 training programs shall not apply to any chief inspector or inspector in
280 the Division of Criminal Justice who has satisfactorily completed a
281 program of police training conducted by the division.

282 Sec. 14. Section 8-26h of the general statutes is repealed and the
283 following is substituted in lieu thereof:

284 No use or occupancy of or the presence of any building or other
285 structure erected on a lot or lots either shown on a filed or recorded
286 map or plan of subdivision or located in a subdivision created by the
287 physical division of land into three or more parcels shall be deemed
288 illegal or invalid because the lot or lots on which any building or other

289 structure is located [is] are not shown on an approved plan of
290 subdivision or because the filed or recorded map or plan of
291 subdivision fails in any manner to comply with any requirement of
292 any general or special law, ordinance or regulation.

293 Sec. 15. Subdivision (2) of section 9-7b of the general statutes is
294 repealed and the following is substituted in lieu thereof:

295 (2) To levy a civil penalty not to exceed (A) two thousand dollars
296 per offense against any person the commission finds to be in violation
297 of any provision of chapter 145, part V of chapter 146, part I of chapter
298 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-
299 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-
300 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
301 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
302 436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand
303 dollars per offense or twice the amount of any improper payment or
304 contribution, whichever is greater, against any person the commission
305 finds to be in violation of any provision of chapter 150. The
306 commission may levy a civil penalty against any person under
307 subparagraph (A) or (B) of this subdivision only after giving the
308 person an opportunity to be heard at a hearing conducted in
309 accordance with sections 4-176e to 4-184, inclusive. In the case of
310 failure to pay any such penalty levied pursuant to this subsection
311 within thirty days of written notice sent by certified or registered mail
312 to such person, the superior court for the judicial district of Hartford,
313 on application of the commission, may issue an order requiring such
314 person to pay the penalty imposed and such court costs, [sheriff's]
315 state marshal's fees and attorney's fees incurred by the commission as
316 the court may determine. Any civil penalties paid, collected or
317 recovered under subparagraph (B) of this subdivision for a violation of
318 any provision of chapter 150 applying to the office of the Treasurer
319 shall be deposited on a pro rata basis in any trust funds, as defined in
320 section 3-13c, affected by such violation.

321 Sec. 16. Subsection (a) of section 12-135 of the general statutes is
322 repealed and the following is substituted in lieu thereof:

323 (a) Any collector of taxes, and any state marshal or constable, [as he
324 may be authorized by] such collector, shall, during [his term] their
325 respective terms of office, have authority to collect any taxes due the
326 municipality served by such collector for which a proper warrant and
327 a proper alias tax warrant, in the case of the deputized officer, have
328 been issued. Such alias tax warrant may be executed by any officer
329 above named in any part of the state, and the collector in person may
330 demand and collect taxes in any part of the state on a proper warrant.
331 Any such state marshal or constable so authorized who executes such
332 an alias tax warrant outside of [his respective] such marshal's or
333 constable's precinct shall be entitled to collect from the person owing
334 the tax the fees allowed by law, except that the minimum total fees
335 shall be five dollars and the maximum total fees shall be fifteen dollars
336 for each alias tax warrant so executed. Upon the expiration of [his] the
337 collector's term of office [the] said collector shall deliver to his or her
338 immediate successor in office the rate bills not fully collected and such
339 successor shall have authority to collect the taxes due thereon. Any
340 person who fails to deliver such rate bills to [his] such person's
341 immediate successor within ten days from the qualification of such
342 successor shall be fined not more than two hundred dollars or
343 imprisoned not more than six months or both.

344 Sec. 17. Section 12-162 of the general statutes is repealed and the
345 following is substituted in lieu thereof:

346 Any collector of taxes, in the execution of [his] tax warrants, shall
347 have the same authority as state marshals have in executing the duties
348 of their office, and any constable or other officer authorized to serve
349 any civil process may serve a warrant for the collection of any tax
350 assessed, and the officer shall have the same authority as the collector
351 concerning taxes committed to [him] such officer for collection. Upon
352 the nonpayment of any property tax when due, demand having been

353 made therefor as prescribed by law for the collection of such tax, an
354 alias tax warrant may be issued by the tax collector, which may be in
355 the following form:

356 "To a state marshal of the County of, or any constable of the
357 Town of Greeting: By authority of the state of Connecticut you are
358 hereby commanded to collect forthwith from of the sum of
359 dollars, the same being the amount of a tax with interest or penalty
360 and charges which have accumulated thereon, which tax was levied by
361 (insert name of town, city or municipality laying the tax) upon (insert
362 the real estate, personal property, or both, as the case may be,) of said
363 as of the day of (In like manner insert the amount of any other
364 property tax which may have been levied in any other year, including
365 interest or penalty and charges which have accumulated thereon). In
366 default of payment of said amount you are hereby commanded to levy
367 for said tax or taxes, including interest, penalty and charges,
368 hereinafter referred to as the amount due on such execution, upon any
369 goods and chattels of such person and dispose of the same as the law
370 directs, notwithstanding the provisions of subsection (j) of section 52-
371 352b, and, after having satisfied the amount due on such execution,
372 return the surplus, if any, to him; or you are to levy upon the real
373 estate of such person and sell such real property pursuant to the
374 provisions of section 12-157, to pay the amount due on such execution;
375 or you shall make demand upon the main office of any banking
376 institution indebted to such person, subject to the provisions of section
377 52-367a or 52-367b, as if judgment for the amount due on such
378 execution had been entered, for that portion of any type of deposit to
379 the credit of or property held for such person, not exceeding in total
380 value the amount due on such execution; or you are to garnishee the
381 wages due such person from any employer, in the same manner as if a
382 wage execution therefor had been entered, in accordance with section
383 52-361a.

384 Dated at this day of A.D. 20.., Tax Collector."

385 Any officer serving such warrant shall make return to the collector
386 of [his doings] such officer's actions thereon within ten days of the
387 completion of such service and shall be entitled to collect from such
388 person the fees allowed by law for serving executions issued by any
389 court. Notwithstanding the provisions of section 52-261, any state
390 marshal or constable, authorized as provided in this section, who
391 executes such warrant and collects any delinquent municipal taxes as a
392 result thereof shall receive in addition to expenses otherwise allowed,
393 an amount equal to ten per cent of the taxes collected pursuant to such
394 warrant. The minimum fee for such service shall be twenty dollars.
395 Any officer unable to serve such warrant shall, within sixty days after
396 the date of issuance, return such warrant to the collector and in writing
397 state the reason it was not served.

398 Sec. 18. Subsection (b) of section 14-12h of the general statutes is
399 repealed and the following is substituted in lieu thereof:

400 (b) (1) If any police officer observes a motor vehicle being operated
401 upon the public highway, and such motor vehicle is displaying
402 registration number plates identified as cancelled on the list made
403 available by the commissioner, such police officer may (A) stop or
404 detain such vehicle and its occupants, (B) issue to the operator an
405 infractions complaint for operating an unregistered motor vehicle, or
406 expired registration if the vehicle is not being operated, in violation of
407 section 14-12, and (C) remove the registration number plates from the
408 vehicle and return them to any branch office of the Department of
409 Motor Vehicles. If any police officer, motor vehicle inspector or
410 constable observes a motor vehicle parked in any parking area, as
411 defined in section 14-212, and such motor vehicle is displaying
412 registration number plates identified as cancelled on the list made
413 available by the commissioner, such police officer, motor vehicle
414 inspector or constable is authorized to remove the registration number
415 plates from the vehicle and to return them to any branch office of the
416 Department of Motor Vehicles. If a number plate is identified as
417 cancelled on the list provided by the commissioner and such

418 identification is in error, the state shall indemnify any police officer,
419 motor vehicle inspector or constable for any claim for damages made
420 against that individual as a result of [his] such individual's good faith
421 reliance on the accuracy of the list provided by the commissioner
422 regarding the confiscation of number plates.

423 (2) If any police officer observes a motor vehicle being operated
424 upon the public highway or parked in any parking area, as defined in
425 section 14-212, displaying registration number plates identified on the
426 list made available by the commissioner as being cancelled, such police
427 officer may seize and impound the vehicle. If a police officer seizes and
428 impounds a vehicle pursuant to this subdivision, [he] such officer shall
429 give notice to the commissioner in such form as the commissioner may
430 require. The police officer shall give such notice not later than three
431 days after seizing and impounding the vehicle.

432 Sec. 19. Subsection (a) of section 15-76 of the general statutes is
433 repealed and the following is substituted in lieu thereof:

434 (a) The commissioner, any employee of the department, any officer
435 attached to an organized police department, any state police officer or
436 any constable, within his or her precinct, upon discovery of any
437 aircraft apparently abandoned, whether situated within or without any
438 airport or landing field in this state, shall take such aircraft into [his]
439 custody and may cause the same to be taken to and stored in a suitable
440 place. All charges necessarily incurred by such person in the
441 performance of such duty shall be a lien upon such aircraft. The owner
442 or keeper of any hangar or other place where such aircraft is stored
443 shall have a lien upon the same for [his] storage charges. If such
444 aircraft has been so stored for a period of ninety days, such owner or
445 keeper may sell the same at public auction for cash, at [his] such
446 owner's or keeper's place of business, and apply the avails of such sale
447 toward the payment of [his] such owner's or keeper's charges and the
448 payment of any debt or obligation incurred by the person who placed
449 the same in storage, provided such sale shall be advertised three times

450 in a newspaper published or having a circulation in the town where
 451 such hangar or other place is located, such advertisement to commence
 452 at least five days before such sale; and, if the last place of abode of the
 453 owner of such aircraft is known to or may be ascertained by such
 454 hangar owner or keeper by the exercise of reasonable diligence, notice
 455 of the time and place of sale shall be given such owner by mailing such
 456 notice to [him] the owner in a registered or certified letter, postage
 457 paid, at such last usual place of abode, at least five days before the time
 458 of sale. The proceeds of such sale, after deducting the amount due such
 459 hangar owner or keeper and all expenses connected with such sale,
 460 including the expenses of the officer who placed such aircraft in
 461 storage, shall be paid to the owner of such aircraft or [his] the owner's
 462 legal representatives, if claimed by [him] such owner or [them]
 463 representatives, at any time within one year from the date of such sale.
 464 If such balance is not claimed within said period, it shall escheat to the
 465 state.

466 Sec. 20. Section 17a-110a of the general statutes is repealed and the
 467 following is substituted in lieu thereof:

468 (a) In order to achieve early permanency for children, decrease
 469 children's length of stay in foster care and reduce the number of moves
 470 children experience in foster care, the Commissioner of Children and
 471 Families shall establish a program for concurrent permanency
 472 planning.

473 (b) Concurrent permanency planning involves a planning process to
 474 identify permanent placements and prospective adoptive parents so
 475 that when termination of parental rights [are] is granted by the court
 476 pursuant to section 17a-112 or section 45a-717, permanent placement
 477 or adoption proceedings may commence immediately.

478 (c) The commissioner shall establish guidelines and protocols for
 479 child-placing agencies involved in concurrent permanency planning,
 480 including criteria for conducting concurrent permanency planning
 481 based on relevant factors such as: (1) [Age] The age of the child and

482 duration of out-of-home placement; (2) the prognosis for successful
483 reunification with parents; (3) the availability of relatives and other
484 concerned individuals to provide support or a permanent placement
485 for the child; (4) special needs of the child; and (5) other factors
486 affecting the child's best interests, goals of concurrent permanency
487 planning, support services that are available for families, permanency
488 options, and the consequences of not complying with case plans.

489 (d) Within six months of out-of-home placement, the Department of
490 Children and Families shall complete an assessment of the likelihood
491 of the child's being reunited with either or both birth parents, based on
492 progress made to date. The Department of Children and Families shall
493 develop a concurrent permanency plan for families with poor
494 prognosis for reunification within such time period. Such assessment
495 and concurrent permanency plan shall be filed with the court.

496 (e) Concurrent permanency planning programs must include
497 involvement of parents and full disclosure of their rights and
498 responsibilities.

499 (f) The commissioner shall provide ongoing technical assistance,
500 support, and training for local child-placing agencies and other
501 individuals and agencies involved in concurrent permanency
502 planning.

503 Sec. 21. Subsection (e) of section 17a-112 of the general statutes is
504 repealed and the following is substituted in lieu thereof:

505 (e) The terms of a cooperative postadoption agreement may include
506 the following: (1) Provision for communication between the child and
507 either or both birth parents; (2) provision for future contact between
508 either or both birth parents and the child or an adoptive parent; and (3)
509 maintenance of medical history of either or both birth parents who [is a
510 party] are parties to the agreement.

511 Sec. 22. Subsection (o) of section 17a-112 of the general statutes is

512 repealed and the following is substituted in lieu thereof:

513 (o) In the case where termination of parental rights is granted, the
514 guardian of the person or statutory parent shall report to the court
515 within thirty days of the date judgment is entered on a case plan, as
516 defined by the federal Adoption Assistance and Child Welfare Act of
517 1980, for the child which shall include measurable objectives and time
518 schedules. At least every six months thereafter, such guardian or
519 statutory parent shall make a report to the court on the progress made
520 on implementation of the plan. The court shall convene a hearing for
521 the purpose of reviewing the plan for the child no more than twelve
522 months from the date judgment is entered and at least once a year
523 thereafter until the court determines that the adoption plan has
524 become finalized. For children where the commissioner has
525 determined that adoption is appropriate, the report on the
526 implementation of the plan shall include a description of the
527 reasonable efforts the department is taking to promote and expedite
528 the adoptive placement and to finalize the adoption of the child,
529 including documentation of child specific recruitment efforts. If the
530 court determines that the department has not made reasonable efforts
531 to place a child in an adoptive placement or that reasonable efforts
532 have not resulted in the placement of the child, the court may order the
533 Department of Children and Families, within available appropriations,
534 to contract with a child-placing agency to arrange for the adoption of
535 the child. The department, as statutory parent, shall continue to
536 provide [such] care and services for the child while a child-placing
537 agency is arranging for the adoption of the child.

538 Sec. 23. Subsection (b) of section 20-325e of the general statutes is
539 repealed and the following is substituted in lieu thereof:

540 (b) The application, order and summons shall be substantially in the
541 following form:

542 APPLICATION FOR DISCHARGE OR

543 REDUCTION OF REAL PROPERTY

544 CLAIM FOR LIEN

545 To the Court of

546 The undersigned represents:

547 1. That is the owner of the real estate described in Schedule A
548 attached hereto.

549 2. That the names and addresses of all other owners of record of
550 such real estate are as follows:

3. That on or about ..., (date) ..., (name of lienor) of ... (address of
lienor) placed a real property claim for lien on such real estate and
gave notice thereof.

554 4. That there is not probable cause to sustain the validity of such
555 claim for lien (or: That such claim for lien is excessive).

556 5. That the applicant seeks an order for discharge (or reduction) of
557 such claim for lien.

558

Name of Applicant

559 By

560 His Attorney

561 ORDER

The above application having been presented to the court, it is hereby ordered, that a hearing be held thereon at a.m. and that the applicant give notice to the following persons: (Names and addresses of persons entitled to notice) of the pendency of said application and of the time when it will be heard by causing a true and attested copy of the application, and of this order to be served upon such persons by some proper officer or indifferent person on or before and that due

569 return of such notice be made to this court.

570 Dated at this day of 20...

571 SUMMONS

572 To the state marshal of the county of or either constable of the
573 town of, in said county,

574 Greeting:

575 By authority of the state of Connecticut, you are hereby commanded
576 to serve a true and attested copy of the above application and order
577 upon, of ... by leaving the same in his hands or at his usual place of
578 abode (or such other notice as ordered by the court) on or before

579 Hereof fail not but due service and return make.

580 Dated at this day of 20...

581 Commissioner of the Superior Court

582 (1) The clerk upon receipt of all the documents in duplicate, if [he]
583 the clerk finds them to be in proper form, shall fix a date for a hearing
584 on the application and sign the order of hearing and notice. An entry
585 fee of twenty dollars shall then be collected and a copy of the original
586 document shall be placed in the court file.

587 (2) The clerk shall deliver to the applicant's attorney the original of
588 the documents for service. Service having been made, the original
589 documents shall be returned to the court with the endorsement by the
590 officer of [his doings] such officer's actions.

591 Sec. 24. Subsection (b) of section 36b-21 of the general statutes is
592 repealed and the following is substituted in lieu thereof:

593 (b) The following transactions are exempted from sections 36b-16
594 and 36b-22: (1) Any isolated nonissuer transaction, whether effected

595 through a broker-dealer or not; (2) any nonissuer transaction by a
596 registered agent of a registered broker-dealer in a security of a class
597 that has been outstanding in the hands of the public for at least ninety
598 days provided, at the time of the transaction: (A) The security is sold at
599 a price reasonably related to the current market price of the security;
600 (B) the security does not constitute the whole or part of an unsold
601 allotment to, or a subscription or participation by, the broker-dealer as
602 an underwriter of the security; (C) a nationally recognized securities
603 manual contains (i) a description of the business and operations of the
604 issuer; (ii) the names of the issuer's officers and directors or, in the case
605 of a non-United-States issuer, the corporate equivalents of such
606 persons in the issuer's country of domicile; (iii) an audited balance
607 sheet of the issuer as of a date within eighteen months, or in the case of
608 a reorganization or merger where the parties to the reorganization or
609 merger had such audited balance sheet, a pro forma balance sheet; and
610 (iv) an audited income statement for each of the issuer's immediately
611 preceding two fiscal years, or for the period of existence of the issuer, if
612 in existence for less than two years, or in the case of a reorganization or
613 merger where the parties to the reorganization or merger had such
614 audited income statement, a pro forma income statement; and (D) the
615 issuer of the security has a class of equity securities listed on a national
616 securities exchange registered under the Securities Exchange Act of
617 1934, or designated for trading on the National Association of
618 Securities Dealers Automated Quotation System, unless the issuer,
619 including any predecessors of the issuer (i) has been engaged in
620 continuous business for at least three years or (ii) has total assets of at
621 least two million dollars based on an audited balance sheet of the
622 issuer as of a date within eighteen months, or in the case of a
623 reorganization or merger where the parties to the reorganization or
624 merger had such audited balance sheet, a pro forma balance sheet.
625 The exemption in this subdivision shall not be available for any
626 distribution of securities issued by a blank check company, shell
627 company, dormant company or any issuer that has been merged or
628 consolidated with or has bought out a blank check company, shell

629 company or dormant company unless the issuer or any predecessor
630 has continuously operated its business for at least the preceding five
631 years and has had gross operating revenue in each of the preceding
632 five years, including gross operating revenue of at least five hundred
633 thousand dollars per year in three of the preceding five years; (3) any
634 nonissuer distribution of an outstanding security if the security has a
635 fixed maturity or a fixed interest or dividend provision and there has
636 been no default during the current fiscal year or within the three
637 preceding fiscal years, or during the existence of the issuer and any
638 predecessors if less than three years, in the payment of principal,
639 interest or dividends on the security; (4) any nonissuer transaction
640 effected by or through a registered broker-dealer pursuant to an
641 unsolicited order or offer to buy; but the commissioner may by
642 regulation require that the customer acknowledge upon a specified
643 form that the sale was unsolicited, and that a signed copy of each such
644 form be preserved by the broker-dealer for a specified period or that
645 the confirmation delivered to the purchaser or a memorandum
646 delivered in connection therewith shall confirm that such purchase
647 was unsolicited by the broker-dealer or any agent of the broker-dealer;
648 (5) any transaction between the issuer or other person on whose behalf
649 the offering is made and an underwriter, or among underwriters; (6)
650 any transaction in a bond or other evidence of indebtedness secured by
651 a real or chattel mortgage or deed of trust or by an agreement for the
652 sale of real estate or chattels, if the entire mortgage, deed of trust or
653 agreement, together with all the bonds or other evidences of
654 indebtedness secured thereby, is offered and sold as a unit; (7) any
655 transaction by an executor, administrator, state marshal, marshal,
656 receiver, trustee in bankruptcy, creditors' committee in a proceeding
657 under the Bankruptcy Act, guardian or conservator; (8) any transaction
658 executed by a bona fide pledgee without any purpose of evading
659 sections 36b-2 to 36b-33, inclusive; (9) any offer or sale to a bank and
660 trust company, a national banking association, a savings bank, a
661 savings and loan association, a federal savings and loan association, a
662 credit union, a federal credit union, trust company, insurance

663 company, investment company as defined in the Investment Company
664 Act of 1940, pension or profit-sharing trust, or other financial
665 institution or institutional buyer, or to a broker-dealer, whether the
666 purchaser is acting for itself or in some fiduciary capacity; (10) (A)
667 subject to the provisions of this subdivision, any transaction not
668 involving a public offering within the meaning of Section 4(2) of the
669 Securities Act of 1933, but not including any transaction specified in
670 the rules and regulations thereunder; (B) subject to the provisions of
671 this subdivision, any transaction made in accordance with the uniform
672 exemption from registration for small issuers authorized in Section
673 19(c)(3)(C) of the Securities Act of 1933. (C) The exemptions set forth in
674 subparagraphs (A) and (B) of this subdivision shall not be available for
675 transactions in securities issued by any blank check company, shell
676 company or dormant company. (D) The exemptions set forth in
677 subparagraphs (A) and (B) of this subdivision may, with respect to any
678 security or transaction or any type of security or transaction, be
679 modified, withdrawn, further conditioned or waived as to conditions,
680 in whole or in part, conditionally or unconditionally, by the
681 commissioner, acting by regulation, rule or order, on a finding that
682 such regulation, rule or order is necessary or appropriate in the public
683 interest or for the protection of investors. (E) A fee of one hundred fifty
684 dollars shall accompany any filing made with the commissioner
685 pursuant to this subdivision; (11) any offer or sale of a preorganization
686 certificate or subscription if (A) no commission or other remuneration
687 is paid or given directly or indirectly for soliciting any prospective
688 subscriber, (B) the number of subscribers does not exceed ten, and (C)
689 no payment is made by any subscriber; (12) any transaction pursuant
690 to an offer to existing security holders of the issuer, including persons
691 who at the time of the transaction are holders of convertible securities,
692 nontransferable warrants or transferable warrants exercisable within
693 not more than ninety days of their issuance, if (A) no commission or
694 other remuneration other than a standby commission is paid or given
695 directly or indirectly for soliciting any security holder in this state, or
696 (B) the issuer first files a notice, in such form and containing such

697 information as the commissioner may by regulation prescribe,
698 specifying the terms of the offer and the commissioner does not by
699 order disallow the exemption within the next ten full business days;
700 (13) any offer, but not a sale, of a security for which registration
701 statements have been filed under both sections 36b-2 to 36b-33,
702 inclusive, and the Securities Act of 1933, if no stop order or refusal
703 order is in effect and no public proceeding or examination looking
704 toward such an order is pending under either said sections or the
705 Securities Act of 1933; (14) any transaction exempt under Section 4(6)
706 of the Securities Act of 1933, and the rules and regulations thereunder.
707 The issuer shall, prior to the first sale, file with the commissioner a
708 notice, in such form and containing such information as the
709 commissioner may by regulation, rule or order prescribe. A fee of one
710 hundred fifty dollars shall accompany any such filing made pursuant
711 to this subdivision; (15) any transaction if all the following conditions
712 are satisfied: (A) The offer and sale is effectuated by the issuer of the
713 security; (B) the total number of purchasers of all securities of the
714 issuer does not exceed ten. A subsequent sale of securities that (i) is
715 registered under sections 36b-2 to 36b-33, inclusive, (ii) is sold
716 pursuant to an exemption under said sections other than this
717 subdivision, or (iii) involves covered securities, shall not be integrated
718 with a sale pursuant to this exemption in computing the number of
719 purchasers hereunder. For the purpose of this subdivision, each of the
720 following is deemed to be a single purchaser of a security: A husband
721 and wife, a child and [his] the parent or guardian of such child when
722 the parent or guardian holds the security for the benefit of the child, a
723 corporation, a partnership, an association or other unincorporated
724 entity, a joint stock company or a trust, but only if the corporation,
725 partnership, association, unincorporated entity, joint stock company or
726 trust was not formed for the purpose of purchasing the security; (C) no
727 advertisement, article, notice or other communication published in any
728 newspaper, magazine or similar medium, or broadcast over television
729 or radio, or any other general solicitation is used in connection with
730 the sale; and (D) no commission, discount or other remuneration is

731 paid or given directly or indirectly in connection with the offer and
732 sale, and the total expenses, excluding legal and accounting fees, in
733 connection with the offer and sale do not exceed one per cent of the
734 total sales price of the securities. For purposes of this subdivision, a
735 difference in the purchase price among the purchasers shall not, in and
736 of itself, be deemed to constitute indirect remuneration; (16) any
737 transaction exempt under Rule 701, 17 CFR Section 230.701
738 promulgated under Section 3(b) of the Securities Act of 1933; (17) any
739 other transaction that the commissioner may exempt, conditionally or
740 unconditionally, on a finding that registration is not necessary or
741 appropriate in the public interest or for the protection of investors.

742 Sec. 25. Subsection (b) of section 45a-488 of the general statutes is
743 repealed and the following is substituted in lieu thereof:

744 (b) Before the date of the division, the trustee or any beneficiary of a
745 trust that is to be divided under subsection (a) of this section or the
746 guardian or guardian ad litem, if any, of each such beneficiary may
747 seek approval of the division, or any beneficiary of a trust that is to be
748 so divided or the guardian or guardian ad litem, if any, of each such
749 beneficiary may object to the division, by petitioning (1) the court of
750 probate having jurisdiction over the estate of the settlor, or [] (2) in the
751 case of an inter vivos trust, the court of probate having jurisdiction
752 under subsection (c) of this section.

753 Sec. 26. Subdivision (4) of subsection (e) of section 45a-579 of the
754 general statutes is repealed and the following is substituted in lieu
755 thereof:

756 (4) Any future interest that takes effect in possession or enjoyment
757 at or after the termination, whether by death or otherwise, of the
758 interest disclaimed shall, unless otherwise provided in the will, take
759 effect, (A) in the case of a disclaimer by or on behalf of a natural
760 person, as if the disclaimant or the person on whose behalf the
761 disclaimer is made had predeceased the deceased owner or the donee
762 of the power, as the case may be, or [] (B) in the case of a disclaimer on

763 behalf of a trust, estate, corporation, partnership, limited liability
764 company, foundation, or other entity, as if the disposition to such
765 entity were ineffective.

766 Sec. 27. Subsection (d) of section 45a-583 of the general statutes is
767 repealed and the following is substituted in lieu thereof:

768 (d) A disclaimer under this section shall be effective if made in the
769 following manner: (1) A disclaimer of a present interest shall be
770 delivered not later than the date which is nine months after the later of
771 (A) the effective date of the nontestamentary instrument, or [] (B) if
772 the disclaimer is made by or on behalf of a natural person, the day on
773 which such person attains the age of eighteen years or, if such person
774 does not survive to the age of eighteen years, the day on which such
775 person dies. (2) A disclaimer of a future interest shall be delivered not
776 later than the date which is nine months after the later of (A) the event
777 determining that the taker of the interest is finally ascertained and
778 such interest is indefeasibly vested or (B) if the disclaimer is made by
779 or on behalf of a natural person, the day on which such person attains
780 the age of eighteen years or, if such person does not survive to the age
781 of eighteen years, the day on which such person dies. (3) If the
782 disclaimant, or the person on whose behalf the disclaimer is made,
783 does not have actual knowledge of the existence of the interest, the
784 disclaimer shall be delivered not later than the date which is nine
785 months after the later of (A) the date on which the disclaimant, or the
786 person on whose behalf the disclaimer is made, first has actual
787 knowledge of the existence of the interest or (B) if the disclaimer is
788 made by or on behalf of a natural person, the day on which such
789 person attains the age of eighteen years or, if such person does not
790 survive to the age of eighteen years, the day on which such person
791 dies. (4) The disclaimer shall be delivered to the transferor of the
792 interest, his legal representative or the holder of the legal title to the
793 property to which such interest relates. (5) If an interest in real
794 property is disclaimed, a copy of such disclaimer shall also be recorded
795 in the office of the town clerk in which the real property is situated

796 within such nine-month period, and if a copy of such disclaimer is not
797 so recorded, it shall be ineffective against any person other than the
798 disclaimant, or the person on whose behalf such disclaimer is made,
799 but only as to such real property interest. For the purposes of this
800 section, the effective date of a nontestamentary instrument is the date
801 on which the maker no longer has power to revoke it or to transfer to
802 the maker or another the entire legal and equitable ownership of the
803 interest.

804 Sec. 28. Section 45a-610 of the general statutes is repealed and the
805 following is substituted in lieu thereof:

806 If the Court of Probate finds that notice has been given or a waiver
807 has been filed, as provided in section 45a-609, it may remove a parent
808 as guardian, if the court finds by clear and convincing evidence one of
809 the following: (1) The parent consents to his or her removal as
810 guardian; or (2) the minor child has been abandoned by the parent in
811 the sense that the parent has failed to maintain a reasonable degree of
812 interest, concern or responsibility for the minor's welfare; or (3) the
813 minor child has been denied the care, guidance or control necessary for
814 his or her physical, educational, moral or emotional well-being, as a
815 result of acts of parental commission or omission, whether the acts are
816 the result of the physical or mental incapability of the parent or
817 conditions attributable to parental habits, misconduct or neglect, and
818 the parental acts or deficiencies support the conclusion that the parent
819 cannot exercise, or should not in the best interests of the minor child be
820 permitted to exercise, parental rights and duties at [this] the time; or
821 (4) the minor child has had physical injury or injuries inflicted upon
822 the minor child by a person responsible for such child's health, welfare
823 or care, or by a person given access to such child by such responsible
824 person, other than by accidental means, or has injuries which are at
825 variance with the history given of them or is in a condition which is
826 the result of maltreatment such as, but not limited to, malnutrition,
827 sexual molestation, deprivation of necessities, emotional maltreatment
828 or cruel punishment; or (5) the minor child has been found to be

829 neglected or uncared for, as defined in section 46b-120. If, after
830 removal of a parent as guardian under this section, the child has no
831 guardian of his or her person, such a guardian may be appointed
832 under the provisions of section 45a-616.

833 Sec. 29. Section 45a-693 of the general statutes is repealed and the
834 following is substituted in lieu thereof:

835 Upon such application for a determination of ability to give
836 informed consent, such court shall assign a time, not later than thirty
837 days thereafter, and a place for hearing such application. Any hearing
838 held under this section shall be pursuant to sections 51-72 and 51-73.
839 Notwithstanding the provisions of section 45a-7, the court may hold
840 the hearing on said application at a place within the state other than
841 the usual courtroom if it would facilitate the presence of the
842 respondent. Such court shall cause a citation and notice to be served on
843 the following parties at least seven days prior to such hearing date. (1)
844 The court shall direct personal service be made by a state marshal,
845 constable or indifferent person upon the respondent and if the
846 respondent is in [the] a hospital, nursing home, state school or some
847 other institution, in addition to the respondent, upon the chief
848 executive, officer or administrator in such hospital, nursing home, state
849 school or other institution. (2) The court shall order such notice as it
850 directs to the following: (A) The parents of the respondent, if any, (B)
851 the spouse of the respondent, if any, (C) the siblings of such applicant,
852 if any, if the respondent has no living parents, (D) the [office of
853 protection and advocacy] Office of Protection and Advocacy for
854 Persons with Disabilities, and (E) such other persons as the court may
855 determine have interest in the respondent.

856 Sec. 30. Section 45a-694 of the general statutes is repealed and the
857 following is substituted in lieu thereof:

858 Upon [such] the filing of an application for a determination of an
859 individual's ability to give informed consent to sterilization, [being
860 filed,] the court shall appoint legal counsel to represent any

861 respondent who has not selected a counsel to represent such
862 respondent in response to the application. Such legal counsel shall be
863 from a panel of attorneys admitted to practice in this state provided by
864 the Probate Court Administrator in accordance with regulations
865 promulgated by the Probate Court Administrator in accordance with
866 section 45a-77. In establishing such panel, the Probate Court
867 Administrator shall seek recommendations from the Office of
868 Protection and Advocacy for Persons with Disabilities, which may be
869 included in such panel. The reasonable compensation of an appointed
870 legal counsel shall be established by the court. Such compensation
871 shall be charged to the respondent provided, if the court finds such
872 respondent is unable to pay such compensation, it shall be paid from
873 the Probate Court Administration Fund.

874 Sec. 31. Section 45a-695 of the general statutes is repealed and the
875 following is substituted in lieu thereof:

876 At any hearing upon such application, the court shall receive
877 evidence concerning the respondent's ability to give informed consent.
878 Such evidence shall include, but shall not be limited to, reports in
879 writing signed under penalty of false statement from an
880 interdisciplinary team of at least three impartial panel members
881 appointed by the court from a panel of physicians, psychologists,
882 educators [,] and social and residential workers who have personally
883 observed, examined or worked with such respondent at some time
884 during the twelve months preceding such hearing. Such appointments
885 shall be made in accordance with regulations to be promulgated by the
886 Probate Court Administrator in accordance with section 45a-77. The
887 reasonable compensation of such appointed panel members shall be
888 established by the court. Such compensation shall be charged to the
889 respondent provided, if the court finds such respondent is unable to
890 pay such compensation, it shall be paid from the Probate Court
891 Administration Fund. Each such appointed panel member shall make
892 his or her written report under penalty of false statement on a separate
893 form provided for that purpose by the court and shall answer such

894 questions as may be set forth on such form as fully and completely as
895 reasonably possible. The reports shall contain specific information
896 regarding the respondent's ability to give informed consent and shall
897 indicate the specific aspects of informed consent which the respondent
898 lacks. Each such appointed panel member shall state upon the forms
899 the reasons for his or her opinion. Such respondent or his or her
900 counsel shall have the right to present evidence and cross-examine
901 witnesses who testify at any hearing on the application. If such
902 respondent or his or her counsel notifies the court not less than three
903 days before the hearing that he or she wishes to cross-examine the
904 appointed panel members, the court shall order such members to
905 appear.

906 Sec. 32. Section 45a-731 of the general statutes is repealed and the
907 following is substituted in lieu thereof:

908 A final decree of adoption, whether issued by a court of this state or
909 a court of any other jurisdiction, shall have the following effect in this
910 state:

911 (1) All rights, duties and other legal consequences of the biological
912 relation of child and parent shall thereafter exist between the adopted
913 person and the adopting parent and the relatives of such adopting
914 parent. Such adopted person shall be treated as if such adopted person
915 were the biological child of the adopting parent, for all purposes
916 including the applicability of statutes which do not expressly exclude
917 an adopted person in their operation or effect;

918 (2) The adopting parent and the adopted person shall have rights of
919 inheritance from and through each other and the biological and
920 adopted relatives of the adopting parent. The right of inheritance of an
921 adopted person extends to the heirs of such adopted person, and such
922 heirs shall be the same as if such adopted person were the biological
923 child of the adopting parent;

924 (3) The adopted person and the biological children and other

925 adopted children of the adopting parent shall be treated, unless
926 otherwise provided by statute, as siblings, having rights of inheritance
927 from and through each other. Such rights of inheritance extend to the
928 heirs of such adopted person and of the biological children and other
929 adopted children, and such heirs shall be the same as if each such
930 adopted person were the biological child of the adopting parent;

931 (4) The adopted person shall, except as hereinafter provided, be
932 treated as if such adopted person were the biological child of the
933 adopting parent for purposes of the applicability of all documents and
934 instruments, whether executed before or after the adoption decree is
935 issued, which do not expressly exclude an adopted person in their
936 operation or effect. The words "child", "children", "issue", "descendant",
937 "descendants", "heir", "heirs", "lawful heirs", "grandchild" and
938 "grandchildren", when used in any will or trust instrument shall
939 include legally adopted persons unless such document clearly
940 indicates a contrary intention. Nothing in this section shall be
941 construed to alter or modify the provisions of section 45a-257
942 concerning revocation of a will when a child is born as the result of
943 artificial insemination;

944 (5) Except in the case of an adoption as provided in subdivision (2)
945 or (3) of subsection (a) of section 45a-724, the legal relationship
946 between the adopted person and the adopted person's biological
947 parent or parents and the relatives of such biological parent or parents
948 is terminated for all purposes, including the applicability of statutes
949 which do not expressly include such an adopted person in their
950 operation and effect. The biological parent or parents of the adopted
951 person ~~is~~ are relieved of all parental rights and responsibilities;

952 (6) Except in the case of an adoption as provided in subdivision (2)
953 or (3) of subsection (a) of section 45a-724, the biological parent or
954 parents and their relatives shall have no rights of inheritance from or
955 through the adopted person, nor shall the adopted person have any
956 rights of inheritance from or through the biological parent or parents

957 of the adopted person and the relatives of such biological parent or
958 parents, except as provided in this section;

959 (7) Except in the case of an adoption as provided in subdivision (2)
960 or (3) of subsection (a) of section 45a-724, the legal relationship
961 between the adopted person and the adopted person's biological
962 parent or parents and the relatives of such biological parent or parents
963 is terminated for purposes of the construction of documents and
964 instruments, whether executed before or after the adoption decree is
965 issued, which do not expressly include the individual by name or by
966 some designation not based on a parent and child or blood
967 relationship, except as provided in this section;

968 (8) Notwithstanding the provisions of subdivisions (1) to (7),
969 inclusive, of this section, when one of the biological parents of a minor
970 child has died and the surviving parent has remarried subsequent to
971 such parent's death, adoption of such child by the person with whom
972 such remarriage is contracted shall not affect the rights of such child to
973 inherit from or through the deceased parent and the deceased parent's
974 relatives;

975 (9) Nothing in this section shall deprive an adopted person who is
976 the biological child of a veteran who served in time of war as defined
977 in section 27-103 of aid under the provisions of section 27-140 or
978 deprive a child receiving benefits under the Social Security Act, 42
979 USC Sec. 301 et seq., as amended from time to time, from continued
980 receipt of benefits authorized under said act;

981 (10) Except as provided in subdivision (11) of this section, the
982 provisions of law in force prior to October 1, 1959, affected by the
983 provisions of this section shall apply to the estates or wills of persons
984 dying prior to said date and to inter vivos instruments executed prior
985 to said date and which on said date were not subject to the grantor's
986 power to revoke or amend;

987 (11) The provisions of subdivisions (1) to (9), inclusive, of this

988 section shall apply to the estate or wills of persons dying prior to
989 October 1, 1959, and to inter vivos instruments executed prior to said
990 date and which on said date were not subject to the grantor's power to
991 revoke or amend, unless (A) a contrary intention of the testator or
992 grantor is demonstrated by clear and convincing evidence or (B)
993 distribution of the estate or under the will or under the inter vivos
994 instrument has been or will be made pursuant to court order entered
995 prior to October 1, 1991;

996 (12) No fiduciary, distributee of the estate [,] or person to whom a
997 legacy has been paid shall be liable to any other person for any action
998 taken or benefit received prior to October 1, 1991, provided any such
999 action was taken or benefit was received in good faith by such
1000 fiduciary, distributee or legatee with respect to the applicability of
1001 statutes concerning the rights of inheritance or rights to take of
1002 adopted persons under any instrument executed prior to October 1,
1003 1959;

1004 (13) No fiduciary shall have the obligation to determine the rights of
1005 inheritance or rights to take of an adopted person under an instrument
1006 executed prior to October 1, 1959, unless the fiduciary receives a
1007 written claim for benefits by or on behalf of such adopted person.

1008 Sec. 33. Subsection (a) of section 46a-13d of the general statutes is
1009 repealed and the following is substituted in lieu thereof:

1010 (a) All state, local and private agencies shall have a duty to
1011 cooperate with any investigation conducted by the Office of the Victim
1012 Advocate. Consistent with the provisions of the general statutes
1013 concerning the confidentiality of records and information, the Victim
1014 Advocate shall have access to, including the right to inspect and copy,
1015 any records necessary to carry out the responsibilities of the Victim
1016 Advocate as provided in section 46a-13c. Nothing contained in this
1017 subsection shall be construed to waive a victim's right to
1018 confidentiality of communication or records as protected by [and]
1019 provisions of the general statutes or common law.

1020 Sec. 34. Subsection (a) of section 46a-13k of the general statutes is
1021 repealed and the following is substituted in lieu thereof:

1022 (a) There is established an Office of the Child Advocate. The
1023 Governor, with the approval of the General Assembly, shall appoint a
1024 person with knowledge of the child welfare system and the legal
1025 system to fill the Office of the Child Advocate. Such person shall be
1026 qualified by training and experience to perform the duties of the office
1027 as set forth in section 46a-13l. The appointment shall be made from a
1028 list of at least three persons prepared and submitted by the advisory
1029 committee established pursuant to section 46a-13q. Upon any vacancy
1030 in the position of Child Advocate, the advisory committee shall meet
1031 to consider and interview successor candidates and shall submit to the
1032 Governor a list of no less than five and no more than seven of the most
1033 outstanding candidates, [on or before] within sixty days after the
1034 occurrence of said vacancy. Such list shall rank the candidates in the
1035 order of committee preference. Upon receipt of the list of candidates
1036 from the advisory committee, the Governor shall designate a candidate
1037 for Child Advocate from among the choices within eight weeks of
1038 receipt of such list. If at any time any of the candidates withdraw from
1039 consideration prior to confirmation by the General Assembly, the
1040 designation shall be made from the remaining candidates on the list
1041 submitted to the Governor. If a candidate has not been designated by
1042 the Governor within the eight-week time period, the candidate ranked
1043 first shall receive the designation and be referred to the General
1044 Assembly for confirmation. If the General Assembly is not in session,
1045 the designated candidate shall serve as acting Child Advocate [] and
1046 be entitled to the compensation, privileges and powers of the Child
1047 Advocate until the General Assembly meets to take action on said
1048 appointment. The person appointed Child Advocate shall serve for a
1049 term of four years and may be reappointed or shall continue to hold
1050 office until such person's successor is appointed and qualified. Upon
1051 any vacancy in the position of Child Advocate and until such time as a
1052 candidate has been confirmed by the General Assembly or, if the
1053 General Assembly is not in session, has been designated by the

1054 Governor, the Associate Child Advocate shall serve as the acting Child
1055 Advocate and be entitled to the compensation, privileges and powers
1056 of the Child Advocate.

1057 Sec. 35. Subsection (b) of section 46b-37 of the general statutes is
1058 repealed and the following is substituted in lieu thereof:

1059 (b) Notwithstanding the provisions of subsection (a) of this section,
1060 it shall be the joint duty of each spouse to support his or her family,
1061 and both shall be liable for: (1) The reasonable and necessary services
1062 of a physician or dentist; (2) hospital expenses rendered the husband
1063 or wife or minor child while residing in the family of [its] his or her
1064 parents; (3) the rental of any dwelling unit actually occupied by the
1065 husband and wife as a residence and reasonably necessary to them for
1066 that purpose; and (4) any article purchased by either which has in fact
1067 gone to the support of the family, or for the joint benefit of both.

1068 Sec. 36. Subsection (b) of section 46b-125 of the general statutes is
1069 repealed and the following is substituted in lieu thereof:

1070 (b) Probation officers shall make such investigations and reports as
1071 the court directs or the law requires. They shall execute the orders of
1072 the court; and, for that purpose, such probation officers, and any other
1073 employees specifically designated by the court to assist the probation
1074 officers in the enforcement of such orders, shall have the authority of a
1075 state marshal. They shall preserve a record of all cases investigated or
1076 coming under their care, and shall keep informed concerning the
1077 conduct and condition of each person under supervision and report
1078 thereon to the court as it may direct. Any juvenile probation officer or
1079 juvenile matters investigator, authorized by the Office of the Chief
1080 Court Administrator, may arrest any juvenile on probation without a
1081 warrant or may deputize any other officer with power to arrest to do
1082 so by giving [him] such officer a written statement setting forth that
1083 the juvenile has, in the judgment of the juvenile probation officer or
1084 juvenile matters investigator, violated the conditions of [his] probation.
1085 When executing such orders of the court, except when using deadly

1086 physical force, juvenile probation officers and juvenile matters
1087 investigators shall be deemed to be acting in the capacity of a peace
1088 officer, as defined in subdivision (9) of section 53a-3.

1089 Sec. 37. Subsection (a) of 46b-129 of the general statutes is repealed
1090 and the following is substituted in lieu thereof:

1091 (a) Any selectman, town manager, or town, city, or borough welfare
1092 department, any probation officer, or the Commissioner of Social
1093 Services, the Commissioner of Children and Families or any child-
1094 caring institution or agency approved by the Commissioner of
1095 Children and Families, a child or [his] such child's representative or
1096 attorney or a foster parent of a child, having information that a child or
1097 youth is neglected, uncared-for or dependent, may file with the
1098 Superior Court which has venue over such matter a verified petition
1099 plainly stating such facts as bring the child or youth within the
1100 jurisdiction of the court as neglected, uncared-for, or dependent,
1101 within the meaning of section 46b-120, the name, date of birth, sex, and
1102 residence of the child or youth, the name and residence of his parents
1103 or guardian, and praying for appropriate action by the court in
1104 conformity with the provisions of this chapter. Upon the filing of such
1105 a petition, except as otherwise provided in subsection (k) of section
1106 17a-112, the court shall cause a summons to be issued requiring the
1107 parent or parents or the guardian of the child or youth to appear in
1108 court at the time and place named, which summons shall be served not
1109 less than fourteen days before the date of the hearing in the manner
1110 prescribed by section 46b-128, and said court shall further give notice
1111 to the petitioner and to the Commissioner of Children and Families of
1112 the time and place when the petition is to be heard not less than
1113 fourteen days prior to the hearing in question.

1114 Sec. 38. Subsection (k) of section 46b-129 of the general statutes is
1115 repealed and the following is substituted in lieu thereof:

1116 (k) (1) Ten months after the adjudication of neglect of the child or
1117 youth or twelve months after the vesting of temporary care and

1118 custody pursuant to subsection (b) of this section, whichever is earlier,
1119 the commissioner shall file a motion for review of a permanency plan
1120 and to extend or revoke the commitment. Ten months after a
1121 permanency plan has been approved by the court pursuant to this
1122 subsection, unless the court has approved placement in long-term
1123 foster care with an identified person or an independent living
1124 program, or the commissioner has filed a petition for termination of
1125 parental rights or motion to transfer guardianship, the commissioner
1126 shall file a motion for review of the permanency plan to extend or
1127 revoke the commitment. A hearing on any such motion shall be held
1128 within sixty days of the filing. The court shall provide notice to the
1129 child or youth, and [his] such child's or youth's parent or guardian of
1130 the time and place of the court hearing on any such motion not less
1131 than fourteen days prior to such hearing.

1132 (2) At such hearing, the court shall determine whether it is
1133 appropriate to continue to make reasonable efforts to reunify the child
1134 or youth with the parent. In making this determination, the court shall
1135 consider the best interests of the child, including the child's need for
1136 permanency. If the court finds that further efforts are not appropriate,
1137 the commissioner has no duty to make further efforts to reunify the
1138 child or youth with the parent. If the court finds that further efforts are
1139 appropriate, such efforts shall ensure that the child or youth's health
1140 and safety are protected and such efforts shall be specified by the
1141 court, including the services to be provided to the parent, what steps
1142 the parent may take to address the problem that prevents the child or
1143 youth from safely reuniting with the parent and a time period, not
1144 longer than six months, for such steps to be accomplished.

1145 (3) At such hearing, the court shall approve a permanency plan that
1146 is in the best interests of the child or youth and takes into
1147 consideration the child or youth's need for permanency. Such
1148 permanency plan may include (A) revocation of commitment and
1149 placement of the child or youth with the parent or guardian, with or
1150 without protective supervision; (B) placing the child or youth in an

1151 independent living program; (C) transfer of guardianship; (D)
 1152 approval of long-term foster care with an identified foster parent; (E)
 1153 filing of termination of parental rights; (F) if the permanency plan
 1154 identifies adoption as an option, a thorough adoption assessment and
 1155 child specific recruitment. As used in this subdivision, "thorough
 1156 adoption assessment" means conducting and documenting face-to-face
 1157 interviews with the child, foster care providers [,] and other significant
 1158 parties, and "child specific recruitment" means recruiting an adoptive
 1159 placement targeted to meet the individual needs of the specific child,
 1160 including, but not limited to, use of the media, use of photo-listing
 1161 services and any other in-state or out-of-state resources that may be
 1162 used to meet the specific needs of the child, unless there are
 1163 extenuating circumstances that indicate that these efforts are not in the
 1164 best interest of the child; or (G) such other appropriate action ordered
 1165 by the court. At the permanency plan hearing, the court shall review
 1166 the status of the child, the progress being made to implement the
 1167 permanency plan and determine a timetable for attaining the
 1168 permanency prescribed by the plan. The court shall extend
 1169 commitment if extension is in the best interests of the child or youth
 1170 for a period of twelve months. The court shall revoke commitment if a
 1171 cause for commitment no longer exists and it is in the best interests of
 1172 the child or youth.

1173 Sec. 39. Section 46b-144 of the general statutes is repealed and the
 1174 following is substituted in lieu thereof:

1175 In committing a child or youth to a custodial agency, other than [its]
 1176 such child's or youth's natural guardians, the court shall, as far as
 1177 practicable, select as such agency some person of like faith to that of
 1178 the parent or parents of the child or youth or some agency or
 1179 institution governed by persons of such faith, unless such agency or
 1180 institution is a state or municipal agency or institution. In the order of
 1181 committal, the court shall designate some indifferent person to serve
 1182 the commitment process, and such indifferent person may be
 1183 accompanied by any suitable relative or friend of such child or youth.

1184 If the person designated to serve such commitment process is an
1185 officer, such officer shall not serve such commitment process while
1186 dressed in the uniform of any police officer, and no such officer shall,
1187 while serving any such commitment process, wear plainly displayed
1188 any police officer's badge.

1189 Sec. 40. Section 46b-150 of the general statutes is repealed and the
1190 following is substituted in lieu thereof:

1191 Any minor who has reached his or her sixteenth birthday and is
1192 residing in this state, or any parent or guardian of such minor, may
1193 petition the superior court for juvenile matters or the probate court for
1194 the district in which either the minor or [his] such minor's parents or
1195 guardian resides for a determination that the minor named in the
1196 petition be emancipated. The petition shall be verified and shall state
1197 plainly: (1) The facts which bring the minor within the jurisdiction of
1198 the court, (2) the name, date of birth, sex and residence of the minor,
1199 (3) the name and residence of [his] such minor's parent, parents or
1200 guardian, and (4) the name of the petitioner and [his] the petitioner's
1201 relationship to the minor. Upon the filing of the petition in the
1202 Superior Court, the court shall cause a summons to be issued to the
1203 minor and [his] such minor's parent, parents or guardian, in the
1204 manner provided in section 46b-128. Upon the filing of the petition in
1205 the Probate Court, the court shall assign a time, not later than thirty
1206 days thereafter, and a place for hearing such petition. The court shall
1207 cause a citation and notice to be served on the minor and [his] the
1208 minor's parent, if the parent is not the petitioner, at least seven days
1209 prior to the hearing date, by a state marshal, constable or indifferent
1210 person. The court shall direct notice by certified mail to the parent, if
1211 the parent is the petitioner. The court shall order such notice as it
1212 directs to the Commissioner of Children and Families, and other
1213 persons having an interest in the minor.

1214 Sec. 41. Subsection (a) of section 46b-160 of the general statutes is
1215 repealed and the following is substituted in lieu thereof:

1216 (a) Proceedings to establish paternity of a child born or conceived
1217 out of lawful wedlock, including one born to, or conceived by, a
1218 married woman but begotten by a man other than her husband, shall
1219 be commenced by the service on the putative father of a verified
1220 petition of the mother or expectant mother. The verified petition,
1221 summons and order shall be filed in the superior court for the judicial
1222 district in which either she or the putative father resides, except that in
1223 IV-D support cases, as defined in subdivision (13) of subsection (b) of
1224 section 46b-231 and in petitions brought under sections 46b-212 to 46b-
1225 213v, inclusive, such petition shall be filed with the clerk for the Family
1226 Support Magistrate Division serving the judicial district where either
1227 she or the putative father resides. In cases involving public assistance
1228 recipients the petition shall also be served upon the Attorney General
1229 who shall be and remain a party to any paternity proceeding and to
1230 any proceedings after judgment in such action. The court or any judge,
1231 or family support magistrate, assigned to said court shall cause a
1232 summons, signed by [him] such judge or magistrate, by the clerk of
1233 said court, or by a commissioner of the Superior Court to be issued,
1234 requiring the putative father to appear in court at a time and place as
1235 determined by the clerk but not more than ninety days after the
1236 issuance of the summons to show cause [if any he has,] why the
1237 request for relief in such petition should not be granted. A state
1238 marshal, proper officer or investigator shall make due returns of
1239 process to the court not less than twenty-one days before the date
1240 assigned for hearing. Such petition, summons and order shall be on
1241 forms prescribed by the Office of the Chief Court Administrator. In the
1242 case of a child or expectant mother being supported wholly or in part
1243 by the state, service of such petition may be made by any investigator
1244 employed by the Department of Social Services and any proper officer
1245 authorized by law. Such petition may be brought at any time prior to
1246 the child's eighteenth birthday, provided liability for past support shall
1247 be limited to the three years next preceding the date of the filing of any
1248 such petition. If the putative father fails to appear in court at such time
1249 and place, the court or family support magistrate shall hear the

1250 petitioner and, upon a finding that process was served on the putative
1251 father, shall enter a default judgment of paternity against such father
1252 and such other orders as the facts may warrant. Such court or family
1253 support magistrate may order continuance of such hearing; and if such
1254 mother or expectant mother continues constant in her accusation, it
1255 shall be evidence that the respondent is the father of such child. The
1256 court or family support magistrate shall, upon motion by a party, issue
1257 an order for temporary support of the child by the respondent pending
1258 a final judgment of the issue of paternity if such court or magistrate
1259 finds that there is clear and convincing evidence of paternity which
1260 evidence shall include, but not be limited to, genetic test results
1261 indicating a ninety-nine per cent or greater probability that such
1262 respondent is the father of the child.

1263 Sec. 42. Subsection (c) of section 46b-172 of the general statutes is
1264 repealed and the following is substituted in lieu thereof:

1265 (c) At any time after the signing of any acknowledgment of
1266 paternity, upon the application of any interested party, the court or
1267 any judge thereof or any family support magistrate in IV-D support
1268 cases and in matters brought under sections 46b-212 to 46b-213v,
1269 inclusive, shall cause a summons, signed by [him] such judge or
1270 magistrate, by the clerk of said court or by a commissioner of the
1271 Superior Court, to be issued, requiring the acknowledged father to
1272 appear in court at a time and place as determined by the clerk but not
1273 more than ninety days after the issuance of the summons, to show
1274 cause [, if any he has,] why the court or the family support magistrate
1275 assigned to the judicial district in IV-D support cases should not enter
1276 judgment for support of the child by payment of a periodic sum until
1277 the child attains the age of eighteen years, together with provision for
1278 reimbursement for past due support based upon ability to pay in
1279 accordance with the provisions of section 17b-81, 17b-223, subsection
1280 (b) of section 17b-179, section 17a-90, 46b-129 or 46b-130, a provision
1281 for health coverage of the child as required by section 46b-215, and
1282 reasonable expense of the action under this subsection. Such court or

1283 family support magistrate, in IV-D cases, shall also have the authority
1284 to order the acknowledged father who is subject to a plan for
1285 reimbursement of past-due support and is not incapacitated, to
1286 participate in work activities which may include, but shall not be
1287 limited to, job search, training, work experience and participation in
1288 the job training and retraining program established by the Labor
1289 Commissioner pursuant to section 31-3t. The application, summons
1290 and order shall be on forms prescribed by the Office of the Chief Court
1291 Administrator. Proceedings to obtain such orders of support shall be
1292 commenced by the service of such summons on the acknowledged
1293 father. A state marshal or proper officer shall make due return of
1294 process to the court not less than twenty-one days before the date
1295 assigned for hearing. The prior judgment as to paternity shall be res
1296 judicata as to that issue for all paternity acknowledgments filed with
1297 the court on or after March 1, 1981, but before July 1, 1997, and shall
1298 not be reconsidered by the court unless the person seeking review of
1299 the acknowledgment petitions the superior court for the judicial
1300 district having venue for a hearing on the issue of paternity within
1301 three years of such judgment. In addition to such review, if the
1302 acknowledgment of paternity was filed prior to March 1, 1981, the
1303 acknowledgment of paternity may be reviewed by denying the
1304 allegation of paternity in response to the initial petition for support,
1305 whenever it is filed. All such payments shall be made to the petitioner,
1306 except that in IV-D support cases, as defined in subsection (b) of
1307 section 46b-231, payments shall be made to the state, acting by and
1308 through the IV-D agency.

1309 Sec. 43. Subdivision (9) of section 47-36aa of the general statutes is
1310 repealed and the following is substituted in lieu thereof:

1311 (9) In the case of a conveyance by a corporation, limited liability
1312 company, partnership, limited partnership or limited liability
1313 partnership, or by any other entity authorized to hold and convey title
1314 to real property within this state, the instrument [designated]
1315 designates such entity as the grantor but fails to disclose the authority

1316 of the individual who executes and acknowledges the instrument.

1317 Sec. 44. Subsection (a) of section 47a-42 of the general statutes is
1318 repealed and the following is substituted in lieu thereof:

1319 (a) Whenever a judgment is entered against a defendant pursuant to
1320 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
1321 possession or occupancy of residential property, such defendant and
1322 any other occupant bound by the judgment by subsection (a) of section
1323 47a-26h shall forthwith remove himself or herself, his or her
1324 possessions and all personal effects unless execution has been stayed
1325 pursuant to sections 47a-35 to 47a-41, inclusive. If execution has been
1326 stayed, such defendant or occupant shall forthwith remove himself or
1327 herself, his or her possessions and all personal effects upon the
1328 expiration of any stay of execution. If the defendant or occupant has
1329 not so removed [himself] upon entry of a judgment pursuant to section
1330 47a-26, 47a-26a, 47a-26b or 47a-26d, and upon expiration of any stay of
1331 execution, the plaintiff may obtain an execution upon such summary
1332 process judgment, and the defendant or other occupant bound by the
1333 judgment by subsection (a) of section 47a-26h and the possessions and
1334 personal effects of such defendant or other occupant may be removed
1335 by a state marshal, pursuant to such execution, and such possessions
1336 and personal effects may be set out on the adjacent sidewalk, street or
1337 highway.

1338 Sec. 45. Section 47a-42a of the general statutes is repealed and the
1339 following is substituted in lieu thereof:

1340 (a) Whenever a judgment is entered against a defendant pursuant to
1341 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the possession or
1342 occupancy of nonresidential property, such defendant and any other
1343 occupant bound by the judgment by subsection (a) of section 47a-26h
1344 shall forthwith remove himself, his possessions and all personal effects
1345 unless execution has been stayed pursuant to sections 47a-35 to 47a-41,
1346 inclusive. If execution has been stayed, such defendant or occupant
1347 shall forthwith remove himself, his possessions and all personal effects

1348 upon the expiration of any stay of execution. If the defendant or
1349 occupant has not so removed himself upon entry of a judgment
1350 pursuant to section 47a-26, 47a-26a, 47a-26b or 47a-26d, and upon
1351 expiration of any stay of execution, the plaintiff may obtain an
1352 execution upon such summary process judgment, and the defendant
1353 or other occupant bound by the judgment by subsection (a) of section
1354 47a-26h and the possessions and personal effects of such defendant or
1355 other occupant may be removed as provided in this section.

1356 (b) The state marshal charged with executing upon any such
1357 summary process judgment shall, at least twenty-four hours prior to
1358 the date and time of the eviction, use reasonable efforts to locate and
1359 notify the defendant or occupant of the date and time such eviction is
1360 to take place. Such notice shall include service upon each defendant
1361 and upon any other person in occupancy, either personally or at the
1362 premises, of a true copy of the summary process execution. Such
1363 execution shall be on a form prescribed by the Judicial Department,
1364 shall be in clear and simple language and in readable format, and shall
1365 contain, in addition to other notices given to the defendant or occupant
1366 in the execution, a conspicuous notice, in large boldface type, that a
1367 person who claims to have a right to continue to occupy the premises
1368 should immediately contact an attorney. Such execution shall contain a
1369 notice advising the defendant or occupant that if he or she does not
1370 remove [his] all possessions and personal effects from the premises by
1371 the date and time set for the eviction and thereafter fails to claim such
1372 possessions and personal effects from the landlord and pay any
1373 removal and storage costs within fifteen days after the date of such
1374 eviction, such possessions and personal effects will be forfeited to the
1375 landlord.

1376 (c) The state marshal who served the execution upon the defendant
1377 or occupant as provided in subsection (b) of this section shall return to
1378 the premises at the date and time such eviction is to take place. If the
1379 defendant or occupant has not removed himself or herself from the
1380 premises, the state marshal shall remove such defendant or occupant.

1381 If the defendant or occupant has not removed [his] all possessions and
1382 personal effects from the premises, the plaintiff, in the presence of the
1383 state marshal, shall prepare an inventory of such possessions and
1384 personal effects and provide a copy of such inventory to the state
1385 marshal. The plaintiff shall remove and store such possessions or
1386 personal effects or shall store the same in the premises. Such removal
1387 and storage or storage in the premises shall be at the expense of the
1388 defendant. If such possessions and effects are not called for by the
1389 defendant or occupant and the expense of such removal and storage or
1390 storage in the premises is not paid to the plaintiff within fifteen days
1391 after such eviction, the defendant or occupant shall forfeit such
1392 possessions and personal effects to the plaintiff and the plaintiff may
1393 dispose of them as [he] the plaintiff deems appropriate.

1394 Sec. 46. Subsection (a) of section 49-35 of the general statutes is
1395 repealed and the following is substituted in lieu thereof:

1396 (a) No person other than the original contractor for the construction,
1397 raising, removal or repairing of the building, or the development of
1398 any lot, or the site development or subdivision of any plot of land or a
1399 subcontractor whose contract with the original contractor is in writing
1400 and has been assented to in writing by the other party to the original
1401 contract, is entitled to claim any such mechanic's lien, unless, after
1402 commencing, and not later than ninety days after ceasing, to furnish
1403 materials or render services for such construction, raising, removal or
1404 repairing, [he] such person gives written notice to the owner of the
1405 building, lot or plot of land and to the original contractor that he or she
1406 has furnished or commenced to furnish materials, or rendered or
1407 commenced to render services, and intends to claim a lien therefor on
1408 the building, lot or plot of land; provided an original contractor shall
1409 not be entitled to such notice, unless, not later than fifteen days after
1410 commencing the construction, raising, removal or repairing of the
1411 building, or the development of any lot, or the site development or
1412 subdivision of any plot of land, such original contractor lodges with
1413 the town clerk of the town in which the building, lot or plot of land is

1414 situated an affidavit in writing, which shall be recorded by the town
1415 clerk with deeds of land, (1) stating the name under which such
1416 original contractor conducts business, (2) stating [his] the contractor's
1417 business address and (3) describing the building, lot or plot of land.
1418 The right of any person to claim a lien under this section shall not be
1419 affected by the failure of such affidavit to conform to the requirements
1420 of this section. The notice shall be served upon the owner or original
1421 contractor, if such owner or original contractor resides in the same
1422 town in which the building is being erected, raised, removed or
1423 repaired or the lot is being improved, or the plot of land is being
1424 improved or subdivided, by any indifferent person, state marshal or
1425 other proper officer, by leaving with such owner or original contractor
1426 or at [his] such owner's or contractor's usual place of abode a true and
1427 attested copy thereof. If the owner or original contractor does not
1428 reside in such town, but has a known agent therein, the notice may be
1429 so served upon the agent, otherwise it may be served by any
1430 indifferent person, state marshal or other proper officer, by mailing a
1431 true and attested copy of the notice by registered or certified mail to
1432 the owner or original contractor at the place where [he] such owner or
1433 contractor resides. If such copy is returned unclaimed, notice to such
1434 owner or original contractor shall be given by publication in
1435 accordance with the provisions of section 1-2. When there are two or
1436 more owners, or two or more original contractors, the notice shall be so
1437 served on each owner and on each original contractor. The notice, with
1438 the return of the person who served it endorsed thereon, shall be
1439 returned to the original maker of the notice within said period of
1440 ninety days.

1441 Sec. 47. Subsection (b) of section 49-35a of the general statutes is
1442 repealed and the following is substituted in lieu thereof:

1443 (b) The application, order and summons shall be substantially in the
1444 following form:

1445 APPLICATION FOR DISCHARGE OR

REDUCTION OF MECHANIC'S LIEN

To the Court of

The undersigned represents:

1. That is the owner of the real estate described in Schedule A attached hereto.

2. That the names and addresses of all other owners of record of such real estate are as follows:

3. That on or about, (date), (name of lienor) of (address of lienor) placed a mechanic's lien on such real estate and gave notice thereof.

4. That there is not probable cause to sustain the validity of such lien (or: That such lien is excessive).

5. That the applicant seeks an order for discharge (or reduction) of such lien.

Name of Applicant

By

His Attorney

ORDER

The above application having been presented to the court, it is hereby ordered, that a hearing be held thereon at a.m. and that the applicant give notice to the following persons: (Names and addresses of persons entitled to notice) of the pendency of said application and of the time when it will be heard by causing a true and attested copy of the application, and of this order to be served upon such persons by some proper officer or indifferent person on or before and that due return of such notice be made to this court.

1472 Dated at this day of 20...

1473 SUMMONS

1474 To a state marshal of the county of, or either constable of the
1475 town of, in said county,

1476 Greeting:

1477 By authority of the state of Connecticut, you are hereby commanded
1478 to serve a true and attested copy of the above application and order
1479 upon, of by leaving the same in his hands or at his usual place of
1480 abode (or such other notice as ordered by the court) on or before

1481 Hereof fail not but due service and return make.

1482 Dated at this day of 20...

1483

1484 Commissioner of the Superior Court

1485 (1) [The] If the clerk upon receipt of all the documents in duplicate,
1486 [if he] finds them to be in proper form, the clerk shall fix a date for a
1487 hearing on the application and sign the order of hearing and notice. An
1488 entry fee of twenty dollars shall then be collected and a copy of the
1489 original document shall be placed in the court file.

1490 (2) The clerk shall deliver to the applicant's attorney the original of
1491 the documents for service. Service having been made, the original
1492 documents shall be returned to the court with the endorsement by the
1493 officer of [his doings] such officer's actions.

1494 Sec. 48. Section 49-42 of the general statutes is repealed and the
1495 following is substituted in lieu thereof:

1496 (a) Any person who performed work or supplied materials for
1497 which a requisition was submitted to, or for which an estimate was

1498 prepared by, the awarding authority and who does not receive full
1499 payment for such work or materials within sixty days of the applicable
1500 payment date provided for in subsection (a) of section 49-41a, or any
1501 person who supplied materials or performed subcontracting work not
1502 included on a requisition or estimate who has not received full
1503 payment for such materials or work within sixty days after the date
1504 such materials were supplied or such work was performed, may
1505 enforce [his] a right to payment under the bond by serving a notice of
1506 claim on the surety that issued the bond and a copy of such notice to
1507 the contractor named as principal in the bond within one hundred
1508 eighty days of the applicable payment date provided for in subsection
1509 (a) of section 49-41a, or, in the case of a person supplying materials or
1510 performing subcontracting work not included on a requisition or
1511 estimate, within one hundred eighty days after the date such materials
1512 were supplied or such work was performed. The notice of claim shall
1513 state with substantial accuracy the amount claimed and the name of
1514 the party for whom the work was performed or to whom the materials
1515 were supplied, and shall provide a detailed description of the bonded
1516 project for which the work or materials were provided. If the content
1517 of a notice prepared in accordance with subsection (b) of section 49-41a
1518 complies with the requirements of this section, a copy of such notice,
1519 served within one hundred eighty days of the payment date provided
1520 for in subsection (a) of section 49-41a upon the surety that issued the
1521 bond and upon the contractor named as principal in the bond, shall
1522 satisfy the notice requirements of this section. Within ninety days after
1523 service of the notice of claim, the surety shall make payment under the
1524 bond and satisfy the claim, or any portion of the claim which is not
1525 subject to a good faith dispute, and shall serve a notice on the claimant
1526 denying liability for any unpaid portion of the claim. The notices
1527 required under this section shall be served by registered or certified
1528 mail, postage prepaid in envelopes addressed to any office at which
1529 the surety, principal or claimant conducts [his] business, or in any
1530 manner in which civil process may be served. If the surety denies
1531 liability on the claim, or any portion thereof, the claimant may bring

1532 action upon the payment bond in the Superior Court for such sums
1533 and prosecute the action to final execution and judgment. An action to
1534 recover on a payment bond under this section shall be privileged with
1535 respect to assignment for trial. The court shall not consolidate for trial
1536 any action brought under this section with any other action brought on
1537 the same bond unless the court finds that a substantial portion of the
1538 evidence to be adduced, other than the fact that the claims sought to be
1539 consolidated arise under the same general contract, is common to such
1540 actions and that consolidation will not result in excessive delays to any
1541 claimant whose action was instituted at a time significantly prior to the
1542 motion to consolidate. In any such proceeding, the court judgment
1543 shall award the prevailing party the costs for bringing such proceeding
1544 and allow interest at the rate of interest specified in the labor or
1545 materials contract under which the claim arises or, if no such interest
1546 rate is specified, at the rate of interest as provided in section 37-3a
1547 upon the amount recovered, computed from the date of service of the
1548 notice of claim, provided, for any portion of the claim which the court
1549 finds was due and payable after the date of service of the notice of
1550 claim, such interest shall be computed from the date such portion
1551 became due and payable. The court judgment may award reasonable
1552 attorneys fees to either party if upon reviewing the entire record, it
1553 appears that either the original claim, the surety's denial of liability, or
1554 the defense interposed to the claim is without substantial basis in fact
1555 or law. Any person having direct contractual relationship with a
1556 subcontractor but no contractual relationship express or implied with
1557 the contractor furnishing the payment bond shall have a right of action
1558 upon the payment bond upon giving written notice of claim as
1559 provided in this section.

1560 (b) Every suit instituted under this section shall be brought in the
1561 name of the person suing, in the superior court for the judicial district
1562 where the contract was to be performed, irrespective of the amount in
1563 controversy in the suit, but no such suit may be commenced after the
1564 expiration of one year after the applicable payment date provided for
1565 in subsection (a) of section 49-41a, or, in the case of a person supplying

1566 materials or performing subcontracting work not included on a
1567 requisition or estimate, no such suit may be commenced after the
1568 expiration of one year after the date such materials were supplied or
1569 such work was performed.

1570 (c) The word "material" as used in sections 49-33 to 49-43, inclusive,
1571 shall include construction equipment and machinery that is rented or
1572 leased for use (1) in the prosecution of work provided for in the
1573 contract within the meaning of sections 49-33 to 49-43, inclusive, or (2)
1574 in the construction, raising [,] or removal of any building or
1575 improvement of any lot, or in the site development or subdivision of
1576 any plot of land within the meaning of sections 49-33 to 49-39,
1577 inclusive.

1578 Sec. 49. Section 49-55d of the general statutes is repealed and the
1579 following is substituted in lieu thereof:

1580 (a) If the lienor does not have possession of the vessel, [he] the
1581 lienor may bring a complaint, setting forth the reasons for the lien and
1582 demanding the sale of the vessel, returnable in the [Superior Court]
1583 superior court, within whose jurisdiction the vessel is located or where
1584 the services for which the lien is claimed were performed. The lienor
1585 may cause to be issued a writ of attachment against the vessel directed
1586 to a state marshal or other proper officer who shall take possession of
1587 the vessel and continue in possession of the same where located, or
1588 elsewhere as deemed expedient by the officer.

1589 (b) A copy of the complaint shall be personally served by a state
1590 marshal or other proper officer upon the owner of the vessel or left at
1591 [his] the owner's usual place of abode if the owner is a resident of this
1592 state. If the owner is not a resident of this state, then a copy of the
1593 complaint shall be served upon such person as may be in charge of the
1594 vessel and the state marshal shall send a notice of the complaint and
1595 the attachment of the vessel to the owner by certified mail at [his] such
1596 owner's last-known residence.

1597 (c) The owner or [his] the owner's representative shall have thirty
1598 days next succeeding the date the complaint is returnable to the proper
1599 court to file an affidavit with the court controverting any material
1600 allegations contained in the complaint and an affidavit that [he] the
1601 owner has a valid defense. The issues so raised shall be tried as all
1602 other issues in the court. If the owner or [his] the owner's legal
1603 representative does not file the necessary affidavits, the lienor may
1604 make a motion for judgment and order of sale which shall be heard on
1605 short calendar by the court having jurisdiction, which motion the court
1606 shall have the power to grant and the court shall order the sale of the
1607 vessel by the state marshal or other proper officer at public auction,
1608 subject to all prior encumbrances on file with the Secretary of the State,
1609 provided at least seven days prior to the sale, a notice of the time, place
1610 [.] and purpose of the sale be published in a newspaper having general
1611 circulation where the vessel was located at the time of the attachment,
1612 and notice of same shall be sent by certified mail to the owner of the
1613 vessel at [his] such owner's last-known place of residence and to all
1614 other holders of valid security interests on file with the office of said
1615 secretary. The proceeds of the sale, after payment of all expenses
1616 connected with the sale and payment of any balance due on any valid
1617 security interest perfected before the vessel lien was filed, and
1618 satisfaction of the vessel lien and satisfaction of any valid security
1619 interest subsequent to the vessel lien presented for payment, shall be
1620 paid to the owner. If the amount due the owner is not claimed within
1621 one year from the date of such sale, it shall escheat to the state.

1622 Sec. 50. Subsection (d) of section 51-15 of the general statutes is
1623 repealed and the following is substituted in lieu thereof:

1624 (d) The procedure for the hearing and determination of small claims
1625 as the same may be prescribed, from time to time, by the judges of the
1626 Superior Court shall be used in all small claims sessions of the court.
1627 The small claims procedure shall be applicable to all actions, except
1628 actions of libel and slander, claiming money damages not in excess of
1629 three thousand five hundred dollars, and to no other actions. If an

1630 action is brought in the small claims session by a tenant pursuant to
1631 subsection (g) of section 47a-21 to reclaim any part of a security deposit
1632 which may be due, the judicial authority hearing the action may award
1633 to the tenant the damages authorized by subsection (d) of said section
1634 and, if authorized by the rental agreement or any provision of the
1635 general statutes, costs, notwithstanding that the amount of such
1636 damages and costs, in the aggregate, exceeds the jurisdictional
1637 monetary limit established by this subsection. If a motion is filed to
1638 transfer a small claims matter to the regular docket in the court, the
1639 moving party shall pay the fee prescribed by section 52-259. The
1640 Attorney General or an assistant attorney general, or the head of any
1641 state agency or his or her authorized representative, while acting in his
1642 or her official capacity shall not be required to pay any small claims
1643 court fee. There shall be no charge for copies of service on defendants
1644 in small claims matters.

1645 Sec. 51. Subsection (a) of section 51-30 of the general statutes is
1646 repealed and the following is substituted in lieu thereof:

1647 (a) The Superior Court or family support magistrate, when
1648 transacting business, shall be attended by such judicial marshals or by
1649 such constables, and by such messengers as the Chief Court
1650 Administrator or [his] said administrator's designee may authorize.

1651 Sec. 52. Subsection (h) of section 51-44a of the general statutes is
1652 repealed and the following is substituted in lieu thereof:

1653 (h) (1) Judges of all courts, except those courts to which judges are
1654 elected, shall be nominated by the Governor exclusively from the list of
1655 candidates or incumbent judges submitted by the Judicial Selection
1656 Commission. Any candidate or incumbent judge who is nominated
1657 from such list by the Governor to be Chief Justice of the Supreme
1658 Court, and who is appointed Chief Justice by the General Assembly,
1659 shall serve a term of eight years from the date of appointment. The
1660 Governor shall nominate a candidate for a vacancy in a judicial
1661 position within forty-five days of the date [he] the Governor receives

1662 the recommendations of the commission. When considering the
1663 nomination of an incumbent judge for reappointment to the same
1664 court, the Governor may nominate the incumbent judge if the
1665 commission did not deny recommendation for reappointment.
1666 Whenever an incumbent judge is denied recommendation for
1667 reappointment to the same court by the commission or is
1668 recommended by the commission but not nominated by the Governor
1669 for reappointment to the same court, or whenever a vacancy in a
1670 judicial position occurs or is anticipated, the Governor shall choose a
1671 nominee from the list of candidates compiled pursuant to subsection
1672 (f) of this section. (2) Notwithstanding the provisions of subdivision (1)
1673 of this subsection and subsection (f) of this section, the Governor may
1674 nominate an associate judge of the Supreme Court to be Chief Justice
1675 of the Supreme Court without such judge being investigated and
1676 interviewed by the commission and being on the list of qualified
1677 candidates compiled and submitted to the Governor by the
1678 commission. An associate judge of the Supreme Court who has been
1679 nominated by the Governor to be Chief Justice of the Supreme Court in
1680 accordance with this subdivision, and who is appointed Chief Justice
1681 by the General Assembly, shall serve an initial term as Chief Justice
1682 equal to the remainder of such judge's term as an associate judge of the
1683 Supreme Court.

1684 Sec. 53. Subsection (b) of section 51-198 of the general statutes is
1685 repealed and the following is substituted in lieu thereof:

1686 (b) In addition thereto, each Chief Justice or associate judge of the
1687 Supreme Court who elects to retain [his] office but to retire from full-
1688 time active service shall continue to be a member of the Supreme Court
1689 during the remainder of his or her term of office and during the term
1690 of any reappointment under section 51-50i, until [he] such justice or
1691 judge attains the age of seventy years. [He] Each such justice or judge
1692 shall be entitled to participate in the meetings of the judges of the
1693 Supreme Court and to vote as a member thereof.

1694 Sec. 54. Section 51-206 of the general statutes is repealed and the
1695 following is substituted in lieu thereof:

1696 An adjournment of any term or session of the Supreme Court may
1697 be made, at any time when no judge of the court is present, by judicial
1698 marshals, upon a written order from the Chief Justice of said court or,
1699 in [his] the Chief Justice's absence or inability to act, from the senior
1700 associate judge of said court, directing such adjournment and the time
1701 to which it shall be made; but, when any judge or judges of said court
1702 are present, such judge or judges may make such adjournment;
1703 provided any adjournment made upon such written order or by any
1704 judge or judges less than a quorum shall not be made to a time beyond
1705 one month from the day of adjournment.

1706 Sec. 55. Subsection (c) of section 51-217 of the general statutes is
1707 repealed and the following is substituted in lieu thereof:

1708 (c) The Jury Administrator shall have the authority to establish and
1709 maintain a list of persons to be excluded from the summoning process,
1710 which shall consist of (1) persons who are disqualified from serving on
1711 jury duty on a permanent basis due to a disability for which a licensed
1712 physician has submitted a letter stating the physician's opinion that
1713 such disability permanently prevents the person from rendering
1714 satisfactory jury service, (2) persons seventy years of age or older who
1715 have requested not to be summoned, and (3) elected officials
1716 enumerated in subdivision (4) of subsection (a) of this section and
1717 judges enumerated in subdivision (5) of subsection (a) of this section
1718 during their term of office. Persons requesting to be excluded pursuant
1719 to subdivisions (1) and (2) of this subsection must provide the Jury
1720 Administrator with their [name, address, date] names, addresses, dates
1721 of birth and federal Social Security [number] numbers for use in
1722 matching. The request to be excluded may be rescinded at any time
1723 with written notice to the Jury Administrator.

1724 Sec. 56. Section 51-222a of the general statutes is repealed and the
1725 following is substituted in lieu thereof:

1726 (a) Annually, upon the request of the Jury Administrator, the
1727 Commissioner of Motor Vehicles shall supply the Jury Administrator
1728 with the latest updated file of licensed motor vehicle operators for the
1729 state. Upon the request of the Jury Administrator, the Commissioner of
1730 Revenue Services shall supply the Jury Administrator with the most
1731 recent updated list of residents of this state who have a permanent
1732 place of abode in this state and who filed a return on personal income
1733 under chapter 229 in the last tax year, and the Labor Commissioner
1734 shall supply the Jury Administrator with the most recent updated list
1735 of residents of this state who are recipients of unemployment
1736 compensation under chapter 567. In addition, upon the request of the
1737 Jury Administrator, the registrars of voters of each town shall supply a
1738 list of all electors from their town, except that in lieu of such list from
1739 the registrars of voters, the Jury Administrator may obtain the list of all
1740 electors from a central repository, or if such list is not available, may
1741 contract for the creation and purchase of such list. The registrars of
1742 voters shall provide lists of electors to the contractor at the request of
1743 the Jury Administrator. Annually, upon the request of the Jury
1744 Administrator, the Commissioner of Public Health shall supply the
1745 Jury Administrator with the most recent updated list of deceased
1746 persons. The lists supplied to the Jury Administrator under this
1747 subsection shall be in the format prescribed by the Jury Administrator
1748 and shall include, at a minimum, the name, address and, if available,
1749 date of birth of each person on such list or the reason for the
1750 unavailability. The lists supplied by the Commissioner of Motor
1751 Vehicles, the Commissioner of Revenue Services, the Commissioner of
1752 Public Health and the Labor Commissioner to the Jury Administrator
1753 under this subsection shall also include the federal Social Security
1754 number of each person on such list or the reason for the unavailability.
1755 The lists of electors supplied to the Jury Administrator by registrars of
1756 voters or the Secretary of the State under this subsection shall not
1757 include federal Social Security numbers of persons on such lists.

1758 (b) The Jury Administrator shall compile a list of names of electors,
1759 residents of this state appearing on the most recent updated list of

1760 operators of motor vehicles licensed pursuant to chapter 246, residents
1761 who filed a return on personal income under chapter 229 in the last tax
1762 year and recipients of unemployment compensation under chapter
1763 567.

1764 (c) Annually the Jury Administrator shall combine the names from
1765 the lists compiled under subsection (b) of this section. The Jury
1766 Administrator shall delete, where possible, duplicate names in order to
1767 insure that names occurring on any list are given only a single chance
1768 to be selected and shall delete, where possible, the names of persons
1769 who may be excluded from the list compiled pursuant to subsection (c)
1770 of section 51-217 and the names appearing on the list of deceased
1771 persons supplied by the Commissioner of Public Health.

1772 (d) The Jury Administrator shall select, [by] at random from the list
1773 compiled as provided in subsection (c) of this section, the number of
1774 names required by section 51-220. These names for each town in the
1775 state and the names of persons whose jury service was continued from
1776 the previous jury year shall constitute such town's final list of
1777 prospective jurors for service starting the next succeeding September.
1778 The final list for each town shall contain the name and street address of
1779 each prospective juror. In the event that a new master file is
1780 unavailable or defective, the Chief Court Administrator may authorize
1781 the Jury Administrator to continue to summon jurors from the list
1782 compiled pursuant to subsection (c) of this section during the previous
1783 year.

1784 (e) If the Jury Administrator determines at any time that there is a
1785 need to supplement the number of names on the final list of jurors for
1786 each town within a judicial district, the Jury Administrator, so far as he
1787 or she is able, shall select in proportion to the population of each town,
1788 [by] at random, from the names not selected pursuant to subsection (d)
1789 of this section such number of prospective jurors as the Jury
1790 Administrator determines is necessary.

1791 Sec. 57. Subsection (e) of section 52-50 of the general statutes is

1792 repealed and the following is substituted in lieu thereof:

1793 (e) Borough bailiffs may, within their respective boroughs, execute
1794 all legal process which [sheriffs or] constables may execute.

1795 Sec. 58. Section 52-53 of the general statutes is repealed and the
1796 following is substituted in lieu thereof:

1797 A state marshal may, on any special occasion, depute, in writing on
1798 the back of the process, any proper person to serve it. After serving the
1799 process, such person shall make oath before a justice of the peace that
1800 he or she faithfully served the process according to [his] such persons
1801 endorsement thereon and did not fill out the process or direct any
1802 person to fill it out; and, if such justice of the peace certifies on the
1803 process that [he] such justice administered such oath, the service shall
1804 be valid.

1805 Sec. 59. Section 52-127 of the general statutes is repealed and the
1806 following is substituted in lieu thereof:

1807 Any process or complaint drawn or filled out by a state marshal or
1808 constable, except in [his] such marshal's or constable's own cause, shall
1809 abate; but process shall not abate on account of any alteration between
1810 the time of signing and of serving it.

1811 Sec. 60. Section 53-293 of the general statutes is repealed and the
1812 following is substituted in lieu thereof:

1813 When any livestock, or other personal property in its nature
1814 perishable or liable to depreciation, or the custody and proper
1815 preservation of which would be difficult or expensive, is attached,
1816 either party to the suit may apply to any judge of the court to which
1817 such process is returnable for an order to sell the same, and thereupon,
1818 after such reasonable notice to the adverse party as such judge directs,
1819 and upon satisfactory proof that such sale is necessary and proper, and
1820 payment of [his] the judge's fees by the party making such application,
1821 [he] such judge may order such property to be sold by the officer who

1822 attached the same, or, in case of [his] such officer's inability, by a state
1823 marshal, or any indifferent person requested in writing to do so by
1824 such attaching officer, at public auction, at such time and place, and
1825 upon such notice, as such judge deems reasonable; and [he may, at his
1826 discretion,] such judge may order the officer making such sale to
1827 deposit the avails with the clerk of such court.

1828 Sec. 61. Subsection (b) of section 52-321a of the general statutes is
1829 repealed and the following is substituted in lieu thereof:

1830 (b) Nothing in this section shall impair the rights of an alternate
1831 payee under a qualified domestic relations order, as defined in Section
1832 414(p) of the Internal Revenue Code of 1986, or any subsequent
1833 corresponding internal revenue code of the United States, as from time
1834 to time amended. Nothing in this section [nor] or in subsection (m) of
1835 section 52-352b shall impair the rights of the state to proceed under
1836 section 52-361a to recover the costs of incarceration from any federal,
1837 state or municipal pension, annuity or insurance contract or similar
1838 arrangement described in subdivision (5) of subsection (a) of this
1839 section, provided the rights of an alternate payee under a qualified
1840 domestic relations order, as defined in Section 414(p) of the Internal
1841 Revenue Code of 1986, or any subsequent corresponding internal
1842 revenue code of the United States, as from time to time amended, shall
1843 take precedence over any such recovery. Nothing in this section nor in
1844 subsection (m) of section 52-352b shall impair the rights of a victim of
1845 crime to proceed under section 52-361a to recover damages awarded
1846 by a court of competent jurisdiction from any federal, state or
1847 municipal pension, annuity or insurance contract or similar
1848 arrangement described in subdivision (5) of subsection (a) of this
1849 section when such damages are the result of a crime committed by a
1850 participant or beneficiary of such pension, annuity or insurance
1851 contract or similar arrangement; provided the rights of an alternate
1852 payee under a qualified domestic relations order, as defined in Section
1853 414(p) of the Internal Revenue Code of 1986, or any subsequent
1854 corresponding internal revenue code of the United States, as from time

1855 to time amended, shall take precedence over any such recovery.

1856 Sec. 62. Subdivision (12) of section 52-350a of the general statutes is
1857 repealed and the following is substituted in lieu thereof:

1858 (12) "Levying officer" means a state marshal or constable acting
1859 within [his] such marshal's or constable's geographical jurisdiction or
1860 in IV-D cases, any investigator employed by the Commissioner of
1861 Social Services.

1862 Sec. 63. Subdivision (4) of subsection (a) of section 52-434 of the
1863 general statutes is repealed and the following is substituted in lieu
1864 thereof:

1865 (4) In addition to the judge trial referees who are appointed
1866 pursuant to subdivision (1), (2) or (3) of this subsection, the Chief
1867 Justice may appoint, from qualified members of the bar of the state,
1868 who are electors and residents of this state, as many state referees as
1869 [he] said Chief Justice may from time to time deem advisable or
1870 necessary. No appointment of a member of the bar may be for a term
1871 of more than three years. Notwithstanding the provisions of subsection
1872 (f) of this section, state referees appointed by the Chief Justice from
1873 members of the bar shall receive such reasonable compensation and
1874 expenses as may be determined by the Chief Justice. The Superior
1875 Court may appoint a state referee pursuant to this subdivision to take
1876 such evidence as it directs in any civil, nonjury case including, but not
1877 limited to, appeals under section 8-8. Any such state referee shall
1878 report on such evidence to the court with any findings of fact. The
1879 report shall constitute a part of the proceeding upon which the
1880 determination of the court shall be made.

1881 Sec. 64. Subsection (d) of section 52-434 of the general statutes is
1882 repealed and the following is substituted in lieu thereof:

1883 (d) Each judge trial referee may have the attendance of a judicial
1884 marshal at any hearing before [him] such referee. The judicial marshal

1885 shall receive the same compensation provided for attendance at
1886 regular sessions of the court from which the case was referred and
1887 such compensation shall be taxed by the state referee in the same
1888 manner as similar costs are taxed by the judges of the court.

1889 Sec. 65. Subsection (a) of section 52-549d of the general statutes is
1890 repealed and the following is substituted in lieu thereof:

1891 (a) Any commissioner of the Superior Court, admitted to practice in
1892 this state for at least two years, who is able and willing to hear small
1893 claims, may submit his or her name to the clerk of the superior court
1894 for any small claims area in which the commissioner may have a law
1895 office or in which [he] such commissioner is convenient and available
1896 to the litigants and counsel of the small claims area. The name shall be
1897 submitted to the Chief Court Administrator for approval to be placed
1898 on a list of available commissioners in any small claims area for
1899 hearing of small claims. The approved name shall thereupon be
1900 returned to the clerk who shall maintain a list of all approved names.

1901 Sec. 66. Section 52-593a of the general statutes is repealed and the
1902 following is substituted in lieu thereof:

1903 (a) Except in the case of an appeal from an administrative agency
1904 governed by section 4-183, a cause or right of action shall not be lost
1905 because of the passage of the time limited by law within which the
1906 action may be brought, if the process to be served is personally
1907 delivered to a state marshal authorized to serve the process and the
1908 process is served, as provided by law, within fifteen days of the
1909 delivery.

1910 (b) In any such case the [officer] state marshal making service shall
1911 endorse under oath on such [officer's] state marshal's return the date of
1912 delivery of the process to such [officer] state marshal for service in
1913 accordance with this section.

1914 Sec. 67. Subsection (c) of section 52-605 of the general statutes is

1915 repealed and the following is substituted in lieu thereof:

1916 (c) Within thirty days after the filing of the judgment and the
1917 certificate, the judgment creditor shall mail notice of filing of the
1918 foreign judgment by registered or certified mail, return receipt
1919 requested, to the judgment debtor at [his] such judgment debtor's last-
1920 known address. The proceeds of an execution shall not be distributed
1921 to the judgment creditor earlier than thirty days after filing of proof of
1922 service with the clerk of the court in which enforcement of such
1923 judgment is sought.

1924 Sec. 68. Section 53-164 of the general statutes is repealed and the
1925 following is substituted in lieu thereof:

1926 Any person who aids or abets any inmate in escaping from Long
1927 Lane School, the Connecticut School for Boys* or The Southbury
1928 Training School or who knowingly harbors any such inmate, or aids in
1929 abducting any such inmate who has been paroled from the person or
1930 persons to whose care and service such inmate has been legally
1931 committed, shall be fined not more than five hundred dollars or
1932 imprisoned not more than three months or both. Any constable or
1933 officer of state or local police, and any officer or employee of any of
1934 said institutions, is authorized and directed to arrest any person who
1935 has escaped therefrom and return [him] such person thereto.

1936 Sec. 69. Subsection (f) of section 53-202 of the general statutes is
1937 repealed and the following is substituted in lieu thereof:

1938 (f) Each manufacturer shall keep a register of all machine guns
1939 manufactured or handled by [him] the manufacturer. Such register
1940 shall show the model and serial number, and the date of manufacture,
1941 sale, loan, gift, delivery or receipt, of each machine gun, the name,
1942 address and occupation of the person to whom the machine gun was
1943 sold, loaned, given or delivered, or from whom it was received and the
1944 purpose for which it was acquired by the person to whom the machine
1945 gun was sold, loaned, given or delivered. Upon demand, any

1946 manufacturer shall permit any marshal [,] or police officer to inspect
1947 [his] such manufacturer's entire stock of machine guns, and parts and
1948 supplies therefor, and shall produce the register, herein required, for
1949 inspection. Any person who violates any provision of this subsection
1950 shall be fined not more than two thousand dollars.

1951 Sec. 70. Section 53a-54b of the general statutes is repealed and the
1952 following is substituted in lieu thereof:

1953 A person is guilty of a capital felony who is convicted of any of the
1954 following: (1) Murder of a member of the Division of State Police
1955 within the Department of Public Safety or of any local police
1956 department, a chief inspector or inspector in the Division of Criminal
1957 Justice, a state marshal who is exercising authority granted under any
1958 provision of the general statutes, a judicial marshal in performance of
1959 the duties of a judicial marshal, a constable who performs criminal law
1960 enforcement duties, a special policeman appointed under section 29-
1961 18, an employee of the Department of Correction or a person
1962 providing services on behalf of said department when such employee
1963 or person is acting within the scope of his or her employment or duties
1964 in a correctional institution or facility and the actor is confined in such
1965 institution or facility, or any [fireman] firefighter, while [such] the
1966 victim was acting within the scope of [his] such firefighter's duties; (2)
1967 murder committed by a defendant who is hired to commit the same for
1968 pecuniary gain or murder committed by one who is hired by the
1969 defendant to commit the same for pecuniary gain; (3) murder
1970 committed by one who has previously been convicted of intentional
1971 murder or of murder committed in the course of commission of a
1972 felony; (4) murder committed by one who was, at the time of
1973 commission of the murder, under sentence of life imprisonment; (5)
1974 murder by a kidnapper of a kidnapped person during the course of the
1975 kidnapping or before such person is able to return or be returned to
1976 safety; (6) the illegal sale, for economic gain, of cocaine, heroin or
1977 methadone to a person who dies as a direct result of [the use by him
1978 of] using such cocaine, heroin or methadone; (7) murder committed in

1979 the course of the commission of sexual assault in the first degree; (8)
1980 murder of two or more persons at the same time or in the course of a
1981 single transaction; or (9) murder of a person under sixteen years of age.

1982 Sec. 71. Subsection (a) of section 54-1f of the general statutes is
1983 repealed and the following is substituted in lieu thereof:

1984 (a) For purposes of this section, the respective precinct or
1985 jurisdiction of a state marshal or judicial marshal shall be wherever
1986 [he] such marshal is required to perform [his] duties. Peace officers, as
1987 defined in subdivision (9) of section 53a-3, in their respective precincts,
1988 shall arrest, without previous complaint and warrant, any person for
1989 any offense in their jurisdiction, when the person is taken or
1990 apprehended in the act or on the speedy information of others,
1991 provided that no constable elected pursuant to the provisions of
1992 section 9-200 shall be considered a peace officer for the purposes of this
1993 subsection, unless the town in which such constable holds office
1994 provides, by ordinance, that constables shall be considered peace
1995 officers for the purposes of this subsection.

1996 Sec. 72. Section 54-98 of the general statutes is repealed and the
1997 following is substituted in lieu thereof:

1998 The Chief Court Administrator or the administrator's designee shall
1999 execute each mittimus for the commitment of convicts to the
2000 Connecticut Correctional Institution, Somers, by delivering such
2001 convicts to the warden of said institution or [his] such warden's agent
2002 at said institution.

2003 Sec. 73. Section 54-101 of the general statutes is repealed and the
2004 following is substituted in lieu thereof:

2005 When any person detained at the Connecticut Correctional
2006 Institution, Somers, awaiting execution of a sentence of death appears
2007 to the warden thereof to be insane, the warden may make application
2008 to the superior court for the judicial district of Tolland having either

2009 civil or criminal jurisdiction or, if said court is not in session, to any
2010 judge of the Superior Court, and, after hearing upon such application,
2011 notice thereof having been given to the state's attorney for the judicial
2012 district wherein such person was convicted, said court or such judge
2013 may, if it appears advisable, appoint three reputable physicians to
2014 examine as to the mental condition of the person so committed. Upon
2015 return to said court or such judge of a certificate by such physicians, or
2016 a majority of them, stating that such person is insane, said court or
2017 such judge shall order the sentence of execution to be stayed and such
2018 person to be transferred to any state hospital for mental illness for
2019 confinement, support and treatment until [he] such person recovers
2020 [his] sanity, and shall cause a mittimus to be issued to the Department
2021 of Correction for such commitment. If, at any time thereafter, the
2022 superintendent of the state hospital to which such person has been
2023 committed is of the opinion that [he] such person has recovered [his]
2024 sanity, [he] the superintendent shall so report to the state's attorney for
2025 the judicial district wherein the conviction was had and such attorney
2026 shall thereupon make application to the superior court for such judicial
2027 district having criminal jurisdiction, for the issuance of a warrant of
2028 execution for such sentence, and, if said court finds that such person
2029 has recovered [his] sanity, it shall cause a mittimus to be issued for his
2030 return to the Connecticut Correctional Institution, Somers, there to be
2031 received and kept until a day designated in the mittimus for the
2032 infliction of the death penalty, and thereupon said penalty shall be
2033 inflicted, in accordance with the provisions of the statutes.

Statement of Purpose:

To make technical changes concerning grammar, gender neutrality and consistency in the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]